

A LONG
1374
HISTORY

Of a CERTAIN

SESSION

H. Ireland. - Parliament.

Of a CERTAIN

PARLIAMENT,

In a CERTAIN

KINGDOM.

By Doctors Kelsham & Delaney; so in MS. by D. Barret.

*Hoc fonte derivata clades
In Patriam Populumque fluxit.*

Hor.

*Hoc caverat Mens provida—
Dissentientis Conditionibus
Fædis, et Exemplo trabenti
Perniciem veniens in Ævum.*

Hor.

Ne quid falsi dicere audeat, ne quid veri non audeat.
Cicero.

Printed in the Year MDCC XIV.



See p. 29, relating to the right of Members of the
College to vote for City Members -

It appears from the Commons's
Journals, that, 27th Decr. 1695, the City did petition
the house against the exercise of this right, alledging
that the College had Members of its own -



T H E P R E F A C E.

TRUTH, is the Real or Pretended Aim of all the Papers that perplex the Age. Even they make a Shew and Profession of it, who subsist upon Falshood. If they do not Manage with as much Caution as one would expect in so nice an Affair, we must not however deny them an exceeding Dexterity and unequal'd Address in the Conduct of it. If they have not as much Integrity as other Men, 'tis because they sacrifice their Honesty to their Invention, and find their Account in so doing.

'Tis true, they oftentimes relate Things, not only Incredible but Impossible; but then, they are such as have a near Relation to the Interests of Mankind; and consequently a great Influence upon their Belief. There is a Weakness in Human Nature which surrenders itself to Things New and amazing: which delights in Wonderful Delusions, and quits 'em with Regret; and tho' every Day's Experience detects the Falshood of those Temporary and Occasional Amusements, they do but convince us of a foolish Credulity, but are not able to remove the Infirmary that caus'd it: The Delusion returns in another Shape, and our Weakness returns with it.

This is in some Measure to be accounted for; Novelty and Variety are very engaging Circumstances, and strike not only the Imagination but the Mind also, with a Force that is not easily resisted. The Wonder is, how Men can be subdu'd by the same Falshood in the same shape after Ten thousand Detections: And yet I presume I shall need no Vouchers, when I affirm, that I have known one Lye maintain itself in the World, for many Years together, notwithstanding Ten thousand Defeats by Evident and Uncontested Truths. Nay, it has not only maintained itself, but likewise a numerous

Train of Genteel Creditable Dependants in a very Triumphant and Flourishing Condition. What is yet more incredible, I have known those Dependants oftentimes find their Account in delivering Falshoods, which they themselves never expected would be believ'd.

'Tis no later than Yesterday that I saw it affirm'd in Print with a good Grace and Competent Assurance, by a Person who styles himself a Member of the H—se of C—ns, That all the Bishops and other Clergy of the Establish'd Church of I——d are no better than Papists and profess'd Friends to the Pretender. No Body can imagine, that ever the Author expected to be believ'd in This by any one Man living; but yet I know not how, I can't but think he found his Account barely in affirming it. A vigorous Falshood makes its Way into the World; and is of more Use to a Party, than a hundred easy unconcerned Truths; for tho' it does not convince, yet it keeps up the Spirits of your Friends; is a brave Insult upon your Enemies, and prepares your Way upon a Neutral Party: for most People, judging of the Justice of a Cause by the Courage of the Combatants, a desperate Assault oftentimes passes for the Effect of a Just Resentment: And, on the contrary, a cold Contempt of an Impotent Enemy, is Cowardice and a conscious Distrust.

Besides this, there is a Malignity in Human Nature which is delighted with the Disgrace of Good Men; in-somuch, that even Calumnies have their Effect upon the World; they gain the Approbation of many Persons tho' they lose their Belief.

Plutarch very well observes, that the Genius of the Baser Sort, is an Evil Spirit, which Delights to have the Reputation of their Superiors, the Great and the Good, sacrific'd to their Envy and Spite: And we may add to this Observation, That as long as that Genius has Power to do Good or Harm in the World it will never want its Votaries: and surely it never Vaunted it self with more Triumph and Authority than at this Time.

Amidst

Amidst this great Variety and Power of Falshood, a Relation of Naked Undisguis'd Truth, is a Performance of so Rare and Surprizing a Nature, that I know not whether ought to be Matter of most Wonder to the World, the Truth it self; or the Courage of him that declares it.

For my own part, when I first undertook this History, I had no other View but the Vindication of Injur'd Innocence; and, as my Fellow-Patriots phrase it, The Good of my Country: But I fairly own, that in the Prosecution of it I began to entertain other Thoughts.

I am now, thought I, going to Manifest many Things to the World; the Publication of which will in all Probability Create me many Powerful Enemies, and no Friends: They, whose Vices I Detect, will think I have done them an Irreparable Injury; and they, whose Virtues I Illustrate, will at best say I did 'em Justice: the former, will detest me; the latter, will not be oblig'd to me.

I consider'd after this, That besides the private Malice of those Enemies I shou'd make to my self by this Relation; I might also provoke a Publick Power, who, if they pleas'd, might Resolve a true Relation as Great a Calumny as a false One: and wou'd make themselves Arbiters both of the Fact and the Punishment.

When I had consider'd the Danger that had Threaten'd me, (as it was Natural,) I turn'd my Thoughts upon my own Condition; and began to Examine, what Force I had to Oppose to the Strength and Malice of my future Adversaries. After a short Enquiry, I soon concluded, that I was every way Defenceless but from my Integrity and the Discharge of a good Conscience: and Those, I had some Reason to believe, were (especially at this time) but very slender Securities.

I then Reflected with some Concern, that I had not apply'd my Self to the Publick Spirit of either Party; nay, that I had not so much as secur'd a Sixpenny Subscription to support me in the Evil Day; and after much Perplexity and Irresolution in these and such like Meditations, I at last determin'd, that all these Considerations,

tions, which were indeed Heavy Reflections on my *Prudence*, were yet at the same time, Unanswerable Arguments of my *Integrity*; and since I propos'd nothing in these Papers, but the *Vindication of Truth and Justice*; I thought it Incumbent upon me, to do it in a manner, that might wholly free me from the Imputation of a Mercenary and Interested Writer. To this Consideration, I added, that the Sum of this Relation is supported by Facts, that can neither be Disputed nor Deny'd; and by the Testimony of many Eye and Ear Witnesses of Undoubted Integrity: And that my Reasonings upon them, are such as will be Familiar to the Understandings of all Mankind upon the first Reading, and therefore, this History carry'd in it self the best Testimony of its own Truth, and might save me the Expence of many Arguments upon the Point.

Upon the whole, I ended my Meditations, as most Men do, in my own Favour; and Concluded with Great Comfort, that however I might be Deem'd an Idiot by some; or perhaps be Voted a Criminal by others; yet I shou'd at one time Establish to my self the Character of an *Honest*, and it may be, a *Brave Man*.

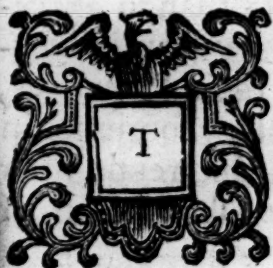
I shall add but one Word more, and that is, that I was provok'd to this Undertaking, by the Impudent and Unequal'd Calumnies of several Scandalous News-Papers and other Libels upon this Subject; which I have not thought fit to take the least Notice of in this Relation; or to Confute otherwise than by Opposing Real and Undoubted Facts to their Monstrous and Detestable Falshoods. I own that in the Hurry and Variety of Incidents, I have Omitted some Things that wou'd be of Great Use to Illustrate and Enforce several Passages in this History; and therefore, I shall take it Kindly of any one that will give me a Fair Opportunity of Producing this Reserve. For after all the Arguments of my Integrity already produc'd, I can assure my Reader nothing will ever be so full a Conviction to him of the Sincerity and Honesty of this Performance; as an Answer from a Potent Enemy to Truth (for no other will undertake it) and after that a Reply from his, &c.

A L O N G



A L O N G
H I S T O R Y
O F A

SHORT SESSION of a Certain Par———t
in a Certain Kingdom.



THE Proceedings of the present P——t
of I——d, having become Matter
of Astonishment and Surprise to
both these Nations; and being eve-
ry Way Extraordinary, not only,
on Account of their *Immediate*
Conduct, but likewise of their *Fu-*
ture probable Consequences; I don't know, how I
can do either a more Acceptable, or Useful Service
to my Country, than by a Faithful Relation of those
Facts, in the Order and Manner they were trans-
acted.

The Advantages I propose from this Relation are
these Two:

First, That they, who, from their mistaken Opi-
nions of Men, have been drawn into wrong Mea-
sures, may make Haste to forsake those Paths, and
renounce those Councils, that have led 'em into Evil;
if it appear upon a Rational and Fair Disquisition,
and by placing those Proceedings in a true Light,
that those Measures were not only inconsistent with
Justice, and the Discharge of a good Conscience, but
likewise highly Injurious to their Country, whose
Welfare they profess'd to promote by 'em.

Secondly,

Secondly, That they, who gave their Voices for such Persons, as have abus'd and betray'd their Trust, and acted in direct Contradiction to it, may never more be induc'd, by any Perswasion or plausible Pretext whatsoever, to put it in their Power a *second Time*, to *Oppress Loyalty and Innocence*; and make such Bold Steps to the Destruction of their Liberties, and the Overturning the *Constitution* in Church and State, as cannot be paralell'd in History since the Confusions of *Forty-one*; and even exceeds the *first* Steps to the Rebellion that were taken *then*.

There are some Persons whom I have little Hopes of Reforming by this Relation: I mean those, who, tho' *given to change*, are yet steadily and obstinately Evil: Upon whom *Conviction* never yet had, nor I fear ever will have, any other Effect, than to *aggravate their Guilt*, and render them every way *Inexcusable*; who being *convinc'd* against their Principles, their Inclinations and their Interest, continue in their Course, return to their Vomit, and retain their Errors: agreeably to that Excellent Observation of our Great *English* Genius.

*He that's convinc'd against his Will,
Is of his own Opinion still.*

I write this therefore, *principally* and mainly for their Instruction and Advantage, *who are dispos'd for Information*: who have their Hearts always open, for the Entertainment of *Truth, Justice, and Loyalty*; are always ready to renounce their Errors; and need no other Inducement to do so, than the Knowledge of 'em.

When the Return of the present Par——t was made, all that were truly affected to the Q—n, the Establish'd Church, and the present Administration, believed it would be such a H——se of C——s, as was never known in this Kingdom since the Revolution: Their *Expectations* were abundantly exceeded, and even their Wishes seem'd to be fully answer'd: They were perswaded, Her Majesty would now meet with

with such Returns of Loyalty and Affection, of *sincere* Affection, and *untainted* Loyalty, as would demonstrate Her Subjects of *Ireland* truly sensible of Her Goodness towards them: Tenderly touch'd with the great Regard She has always shewn to their Interest; as in many other Instances, so especially, by granting them an entire Exemption from the Burden of a long expensive War, and yet after that, a free and full Participation of all the Blessings and Advantages of Her happy Peace; by Her unexempl'd Bounty to the establish'd Church of this Realm, and many other peculiar Felicities of Her Reign.

These, I say, were the Hopes and assur'd Expectations of her Majesty's loyal Subjects of *Ireland*; and surely, never were rational and well grounded Hopes more miserably defeated, and disappointed, than these; and that by a Train of such *Extraordinary* and *Astonishing* Circumstances, and Events, as no human Prudence could foresee, and scarcely account for when they happen'd.

When his Grace of *Shrewsbury* was nam'd for the Government of *Ireland*, the *Faction* of that Kingdom (by the *Faction* I mean all those that are disaffected to the present Administration, and indeed to every Administration where themselves don't sway) quickly bruited it abroad, that his Lordship was a *Convert* Protestant, and his Lady a profess'd *Papist*, and that a Chapel was fitting up for her in the Castle; and therefore they had nothing to expect from him: To be sure the *Papists* and other *Friends of the Pretender* would be the only *Favourites* now. Their Hopes were sunk yet further when they found there was a Majority in the House of Commons against 'em; for they themselves gave up that Point.

But this Depression did not last long; their Spirits were again rais'd, as soon as it appear'd that Sir *John Stanly* was appointed his Grace's Secretary, and Mr. *Manly* was commission'd to inspect into the Apartments of the Castle, and see that they were

fitted up for their *Grace's* Reception; tho' it was known there was a proper Officer for that Purpose, whose Business it was; and who had always been apply'd to upon the like Occasion. Mr. *Manly* executed this *Extraordinary* Commission in as Extraordinary a Manner; and has ever since continued a Man of great Authority at Court.

Mr. *Broderick* was now in *England*; and had not been there long before (upon the calling of a New Parliament) he declar'd openly for the Speaker's Chair; tho' Sir *Richard Levins* was there at the same Time and upon the same Errand; and expected Her Majesty's Recommendation to that Trust: This also gave *new Life* to their Expectations: and seem'd indeed to be a just Foundation of Rational and well Grounded Hope; because it could not be presum'd (tho' indeed much might be presum'd upon Mr. *Broderick*) that any Subject would set himself in direct Opposition to the Will of his Sovereign, in a Case wherein it had usually been gratify'd, without some very considerable Encouragement from Persons of *Authority* and *Interest*; such as could *then* only be guess'd at.

Soon after this, Counsellor *Monck* (one of those Gentlemen that strenuously abetted Mr. *Dudley Moore* upon the Stage, in speaking that *Remarkable Prologue*, upon His late Majesty's Birth-Day, in Contradiction to the repeated Commands of the Government) return'd from *England* with Assurances, as it was said, of the Black-Rod; and from that Moment his *Grace* of *Shrewsbury* was become one of the best *Protestants* in *Christendom*; and his *Dutchess* a true *Convert*.

" 'Twas then remember'd, that he had long since renounc'd the Errors of *Papery*, that he had done so in the Worst of Times; and that he had engag'd his *Dutchess* to do the same before he would consent to marry her. But above all, that he was very Instrumental in bringing about the late *Glorious Revolution*; and it was not in the least question'd, but he continu'd steady to those *Sound Principles* ever since.

since—and therefore the *Protestant Interest* of Ireland might *now* justly hope for every Thing from such a Person."

Their Hopes were strengthen'd yet farther, from the Countenance they all receiv'd at the Castle from the first Moment of his Grace's Arrival; from Mr. *Manly's* being appointed his *Major Domo*, Mr. *Ben. Parry* his Master of the Ceremonies, Col. *William Connolly* and Major *Wentworth* Aid de Camps, (the latter of whom had the Honour of serving his Excellency the Lord *Wharton* in the same Station) and many more of the *same Principles*, being employed in several Stations of Honour and Trust about Court; whose Names and Characters are sufficiently known.

But when his Grace thought fit to do a signal Honour to the Glorious Memory of *King William*, not only by a Solemn and Splendid Observance of his Birth-Day at the Castle, but by sending the Queen's Musick to entertain the Recorder and his Friends in the Balcony of the Tholsel, to the great Surprise and Astonishment of all People, who had never before seen or heard the like: Then their Doubts were entirely done away, their Hopes were confirm'd, and their highest Wishes crown'd.

Mr. *Broderick* was now returned from *England*, and was daily employ'd in the vigorous Prosecution of his declar'd Purpose of having himself elected Speaker. It was said indeed, the Queen had recommended Sir *Richard Levins*; but that Mr. *Broderick* little regarded: The Duke had not yet declared it, and when he did (which was not above a Fortnight before the Parliament met) then it was too late; Mr. *Broderick* was engag'd to his Friends, and *they* to him, and therefore he could not desist: This was the Answer he was said to have return'd to the Duke: But however, he and his Friends industriously gave out, That tho' Sir *Richard Levins* was a Person acceptable to the Queen, and for that Reason, would be recommended for Speaker,

yet Mr. *Broderick* was very acceptable to the Duke, and they were confident, if he were chosen, he would never be rejected. This they did not stick to declare openly, wherever they thought it might be of Service to 'em; and Mr. *Broderick* and his Friends never fail'd to insinuate as much in all their Applications for Votes; wherever they believ'd, such an Intimation would have it's Effect, to his Advantage. To confirm this, he was frequently at my Lord Duke's Levee, solicited Votes in the Castle, and even in his Grace's Presence: His known Admirers the Lord Arch-Bish. of *Dublin*, Lord *Mountjoy*, Lord *Fitzwilliams* and Mr. *Molesworth* were the Men in principal Favour and Esteem with his Grace. These were the Persons always in *Presence*, and always distinguish'd by a particular Regard; at the same Time that almost all others of *different Principles* from *them*, were so far discountenanc'd, whether by the Honour they observ'd paid to their *Opposites*, or by any other Circumstance in their own Reception, that, for the most Part, they were discourag'd from appearing, where they could not believe themselves very acceptable; and at best, apprehended, that they only fill'd a Space; and that, perhaps, not very agreeably.

The Characters of those Honourable Persons above-mention'd are so very well known, that I need not weary the Reader with drawing 'em out at Length: I wish with all my Soul, both for his own Sake, and the Sake of Religion, that, that Revd. Prelate had given the World less Reason to be busy with his Character; and shall only observe, that many Particulars of it, already treated with much Freedom, and (I fear) with *too much* Justice, had abundantly prepar'd most Men to receive all the Accounts of his late Astonishing Conduct in the House of Lords, without Surprise.

But surely 'tis a Circumstance in his Grace's Character, worthy of peculiar Observance, and much Amazement, that he is said to have adopted such Persons

sons as the Lord *Mountjoy*, Lord *Fitzwilliams*, Mr. *Molesworth*, and Col. *Allen* into a near Intimacy ; whose Regard for Religion have so eminently distinguish'd them to the World.

As for Mr. *Molesworth*, his own Writings, his late Behaviour to the *Body* of the *Clergy*, and the Sense of the Right Honourable the House of Lords upon it, whereby they rank him with *Toland* and *Asgill*, have put his Opinions, with Regard to all Things Sacred, entirely out of Doubt. 'Tis much after the same Manner with the Noble Col. but with this Difference, That his Conversation at the *Ann* Coffee-House has sav'd him the Labour, of writing Books for the Satisfaction of the World, in that Point. As for the other two Honourable Gentlemen, *One* of 'em has renounc'd the *Church* of *Rome* : I am too much a Stranger to 'em, to know what Religion they are of ; but thus much is certain ; *neither* of 'em are in the Interest of the *Church* of *Ireland*. 'Tis remarkable enough The Lord *Fitzwilliams*, which he thought very incredible ***** The Bible lay upon the Table, and he ***** to it, swore a great Oath ***** he believ'd it as much as he did any Thing in that Book.

These (with some others not worth the naming) are the Persons, who, after Mr. *Manly*, were in principal Favour and Esteem at the Castle. I say after Mr. *Manly* ; for 'tis allow'd on all Hands, that *he* was, and is, the *first* Favourite ; always chosen as a Companion to the Park, to the Strand, and to the Country ; Controllor of his Grace's Household, and of his Closet Council : I need not trouble you with this Gentleman's Character, 'tis as well known as his Employment ; the most remarkable Circumstance that regarded him before this Time, was, That he had a Brother of Principles quite *Opposite* to *his own* ; whose *Worth* atton'd for *his* Demerit to the Government, and was suppos'd to support him in his Employ ; but is now deceas'd.

This was the State of Things at the Castle of D—n,
till

till the Meeting of the Parliament; and Mr. *Broderick* was a Man of too much Sagacity and Design, not to make his own Use of that *State*; and to do him Justice, he was indeed exceedingly Industrious to turn every Circumstance of his Grace's Conduct to his own Advantage; and in Reality he did so, with great Dexterity, and Application, and with a Diligence peculiar to himself. He engag'd many Men for their Votes, even before they were elected; he solicited by Letters, by Messages, by Friends, by Assurances, by Insinuations; but chiefly by Insinuations: This was his best Engine, and by *this* he gain'd almost all that were to be gain'd of both Parties; even some of Her Majesty's most Honourable *Privy Council*. And besides all this, he had his Emissaries in all Quarters of the Town, to bring him speedy Intelligence of every Member as he came in; which they effected so faithfully, that, for the most Part, he paid his Compliment to every Man of 'em, before they could get off their Boots. His constant Residence all this Time was at *Lucas's Coffee-House*, where all those, that escap'd his Emissaries, were sure to fall in his own Way.

By this Time I presume my Reader is sufficiently prepar'd for the Issue of Mr. *Broderick's* Undertaking; it being scarcely possible, that such Industry and Application, attended with so many happy Circumstances, could fail of Success; especially, if we consider the Conduct of the Gentleman that oppos'd him, and compare the unaccountable (I had almost said, *Affected*) Remissness of the one, with the unwearied Diligence of the other. The best Sir *Richard Levins's* Friends can say in Excuse of him upon this Point, is, that he is of a Lazy, Negligent Nature, and strangely averse to all Trouble and Application whatsoever; and indeed, one would think he were so to a great Degree, when 'tis notorious, that, tho' he was in Company with several Members of Parliament, yet he would not be at the Labour of asking for their Votes, tho'

tho' he knew they were not engag'd. The Story of a Gentleman that recommended his Friend to him, and told him, *he had engaged his Vote for him*, is very remarkable: Sir *Richard* was writing a Letter, and from the Intention of his Thoughts, it so happen'd, that he did not shew the least Regard for the Compliment made him; *I don't know how it is* (says he) *for my Part, I don't understand it; in England, the Queen does but declare her Pleasure, in Relation to a Speaker, and the Commons comply with it of Course: But here, there is so much Interest and Application requir'd, I must confess I——* The Gentleman would not give him the Trouble of explaining himself any further, but turn'd away with his Friend, in some Confusion, and made the best Excuse he could, for the Rudeness he had occasion'd him. Sir *Richard*, some Time after, when he had finish'd his Letter, chanc'd to see the Gentlemen walking in the Court; he came up, and, after a very easy Manner, thank'd 'em for the Favour they had done him.

To this Indolence of Disposition, Sir *Richard's* Friends are glad to ascribe *this* and all the rest of his Conduct in this Affair: But they that know him best, and seem to treat his Character with the utmost Impartiality, are ready to impute it to another Cause: They tell us, Sir *Richard* has one Principle, and but one, *he loves himself*—This is his *first* and *only* Principle; and (as they say) he himself avows it: If so, then any one of common Understanding will make an easy Judgment, whether such a Person can possibly be true to any Relation of Life; 'tis so glaringly evident that he cannot, that Sir *Richard* has had the Fortune to be always suspected of *all Parties*. How justly, I shall not take upon me to say; but thus much is certain, that if all Mankind are mistaken in him, he has never yet given 'em any Opportunity of being undeceiv'd: Nay, some are so Sanguine that they don't stick to affirm, that Sir *Richard* was at the Bottom of all those late extraordinary Proceedings of
the

the Commons, that he advis'd his Grace in all the Steps he took; and that he principally mislead him: In Confirmation of this Opinion, they tell you, that Sir *Richard* was known to be very frequently in private with him in *London*; and 'tis agreed, that from him chiefly he had his Information in Relation to the Affairs of *Ireland*; and besides this, 'twas observ'd that there was an extraordinary and unusual Intimacy betwixt him and Mr. *Broderick* all the Time of their Contention; not such a generous Complaisance as Men of Manners are wont to use towards their Rivals in Honour; but a near and intimate Intercourse of Secrecy and Friendship.

But there is one Thing that puts this Matter beyond all Manner of Doubt; and that is, the great Concern Sir *Richard* was observ'd to discover when he found that Her Majesty and the Ministry were resolv'd to support the *Lord Chancellor*: A Concern too real to be dissembl'd, and too visible to be conceal'd.

Having thus prepar'd the Way, to the History of this Session, by an Introduction of a more than ordinary Length, which I was necessitated to, to make it conceiveable to a common Reader, how it was possible the Commons of *Ireland* could chuse Mr. *Broderick* Speaker, and run into all his Measures, if, as is most certain, there was at first a Majority against his Interest; I proceed now to the meeting of the Parliament, which was on Wednesday the Twenty fifth of *November* last.

The first Thing we meet with here, worthy of Observation, is a remarkable Clause in his Grace's Speech to both Houses, where after he has told 'em, of his firm Resolution to discharge the great Trust committed to him, with Zeal for her Majesty's Service and their Interest; He adds, *that he must therefore earnestly recommend it to 'em, that as the Protestants of Ireland are united in one common Interest, they might all agree in the same Means of Promoting it.*

I mention this Clause because, 'tho without Question it was well intended by his Grace; who meant no more, than that they should secure themselves against the *Papists* who are the *Common Enemy*; yet the *Faction* laid great Stress upon it, the *Protestant Interest*, being an Expression in great Esteem amongst them, to signify sometimes an Interest *Distinct* from, and even *Contrary* to, that of the *Establish'd Church*; but *always* us'd, to lessen the regard Men ought to have for that excellent *Communion*, by putting all Denominations of Protestants without Distinction upon a Level; they know very well, that *Atheists*, *Deists*, *Socinians* and *Sectarists* of all Sorts, go under the Name of *Protestants*; and those with the truly *Orthodox* of the establish'd Church make up the *Protestant Interest* of that Kingdom: But then surely 'tis not *one* Interest, but rather a *Comprehension* of Interests Diametrically opposite; of Interests as different from one another, as a Rational and Christian Communion, from an Unreasonable and Sinful *Schism*; as Faith and Infidelity, Religion and Irreligion; Loyalty and *Faction*: and therefore when a certain *Sett* of Men, proclaim their Zeal for the *Protestant Interest*, no wonder they find it easy to distinguish and oppose them to one another. As shall appear farther hereafter even to a Demonstration.

When his Grace had ended his Speech, he order'd the Commons to proceed to the Election of a Speaker, and to present him at the Barr of the Lords House the next Day at Eleven of the Clock; accordingly they did proceed to an Election, and Mr. *Broderick* was chosen by a Majority of four Voices.

But here, it must not be omitted, that besides several of those *call'd* Tories, who had inadvertently engag'd themselves to Mr. *Broderick*, and accordingly voted for him; there were also many others, who did the like, from whom it might as little be expected: All those that had any Hopes from the Crown, (contrary to the Practice of all former Ages) *now* voted

against it: Nay, the *Half-Pay* Officers, and several *Whole-Pay* who had an immediate Dependence upon the Queen, gave their Voices directly contrary to her Recommendation. After this, 'twill be no surprise, to hear, that those who had a Dependence upon the Duke of *Shrewsbury* did the same thing; even his Aid de Camp's Brother, and all others, except Sir *John Stanly*; and he indeed had so much Authority over his Nephew *Monck*, that he oblig'd him to be absent; the Duke also, to do him Justice, prevail'd so far upon the Honourable *Thomas Butler*, one of Her Majesty's most Honourable privy Council, that he engag'd him not to appear against Sir *Richard Levins*: 'twas said some others were also prevail'd upon to the same purpose, but their Names were never yet heard of.

I told you before that Mr. *Broderick* and his Friends insinuated that he was acceptable to the Duke: and all People look'd upon this Election, to be, as in Truth it was, the *Test* of that Insinuation: When therefore they observ'd those that had a Dependence either upon her Majesty, or the Duke, vote for Mr. *Broderick*; they could not but conclude him, not unacceptable to his Grace: And accordingly thought the best way of *Paying their Court*, was to run in with their *Speaker's* Measures. The Reader therefore will not be surpris'd, to find from hence forward the strength of Mr. *Broderick's* Party increase continually, under so much Countenance and Encouragement.

'Tis true, Sir *John Stanly* declar'd for Sir *Richard Levins*; nor cou'd it be otherwise expected: Because for him to have voted for Mr. *Broderick* wou'd have been to have pull'd off the Mask and expos'd the *Ld. Lieutenant*; but 'tis as true that he maintain'd a near Correspondence with Mr. *Broderick* and his Friends; was intirely in their Secrets, and concerted their Measures: in Proof of this, we need not mention his many *Secret* Conferences with his Nephew *Monck* and his Cousin the Recorder; 'tis sufficient to say, that, when Mr. *Anderson Saunders* set up for Chairman of the Committee of Elections, in opposition

sition to Mr. Recorder, he had Assurances of some Members, that wou'd vote for him, if Sir *John Stanly* shou'd in the least desire it of 'em. Mr. *Saunders* conceiv'd but little Hopes from those Assurances; but however, he said, he wou'd try Sir *John*; he did so, and succeeded as he expected, those very Persons voted against him: nor cou'd it be expected, that Sir *John* wou'd use his Interest with others, when he refus'd his own Vote: 'Twas Favour sufficient that he was absent.

The same Day, that Mr. *Broderick* was chosen, 'twas said, there was great Application made, to have him disapprov'd: and having *so small a Majority*, all the Friends of the *Church* expected that he would: nay, many of those Gentlemen that voted for him, *desir'd that he might*; alledging, *that they were surpris'd into the Promise of their Votes not knowing the Queen had recommended any other*: and giving all possible Assurances that if he were rejected, they would vote *against* him next Time: And since it was well known, that *their* Votes had made him a *Majority*, there was not the least Doubt but he would be excluded upon the next Contest.

Besides, it was urg'd, that Mr. *Broderick* had been turn'd out of Employment under the *Present Administration*; and therefore, there was a strong Presumption that he was not *well* affected to it; but it was past a *Presumption* with all those that knew Mr. *Broderick*: They had Reason to be *convinc'd* of his *Singular* Affection to her Majesty, even when he was in Power; by the Doctrine laid down at the Tryal of *P. C.* who printed and publish'd a Libel to defeat her *Hereditary Right to the Crown*; and by the Acquittal of another, who swore, if she touch'd his property, *he would cut her Throat*: Could any one Imagine, that that which disappointed his Ambition, would increase his Loyalty? If such was his Care of her Majesty's Rights, even whilst he represented her Authority; what could not be expected from him, in a Station, where the

Patronage of the *Peoples Liberties*, might give a plausible Pretence to the worst Designs? or rather what may not justly be dreaded from him in that Station, when Rage and Resentment, and Disappointment, were added to the inherent Depravity of his Nature? But besides these Reasons, already urg'd; 'twas evident to every considering Person, that the Church and Nation wou'd reap a double Advantage from this Disapprobation of Mr. *Broderick*; For *First*, Sir *Richard Levins*, cou'd not have been put in Election a *second Time*, a Negative having been already put upon him; and so, we shou'd have been freed from the dangers of a *suspected Friend*: and *Secondly*, Mr. *Broderick* cou'd not possibly have procured himself to be elected *again*, those Persons that made him a Majority, have *now* declared against him: And *then*, we shou'd have been deliver'd from a *sure Enemy*.

But even this is not all; for 'tis beyond all Question, that Mr. *Dobben* wou'd have been chosen upon the next Tryal; a Man of unshaken Integrity, and sincere Affection to Her Majesty and the *Establis'd Church*; a Person also, of such known Worth, and Abilities, as I shou'd injure by a Description: 'Tis sufficient to say, that he was altogether unexceptionable, and every way equal to so great a Trust.

These Reasons prompted all those that knew Mr. *Broderick's* Character, and were well affected to the *Present Administration*, to expect that he wou'd be disapprov'd: They cou'd not but look upon *this*, to be a happy Opportunity, (as in truth it was,) the most Glorious that cou'd be wish'd for by his Grace, of recommending himself to the *Truly Loyal* of the *Establis'd Church*: Because, by disapproving Mr. *Broderick*, he had put it out of the Power of his Enemies to suspect his sincere Affection and Regard for *that* Interest: And at the same time, convinc'd the World, that all Mr. *Broderick's* *Insinuations* in relation to *him*, were false and groundless: But however it happen'd, his Grace did not think fit to lay hold of that Opportunity.

The

The next Day, the Commons attended the Duke at the appointed Hour, and Mr. *Broderick* presented himself for his Approbation, after a very remarkable Manner: for whereas it was usual heretofore, for Persons in *his* Circumstances, to make what they call *Disqualifying* Speeches, and to profess their Inability for the due Discharge of that *Arduous* Province, Mr. *Broderick*, on the contrary, took *that* Opportunity of letting his Grace and the whole World know, that he was the best qualify'd for it of any Man in the Nation. 'Tis true, he insinuates something of his *Fears* and *Diffidence* of himself: and indeed *Smoothly* enough, to raise his Character, by a very artful Opposition; shewing, from the contrary Opinion of the Commons, that those Fears *were altogether groundless and unjust*.

But, (says he) ' When I consider, that my Endeavours to serve her Majesty in the Chair of a former Parliament, were so acceptable to, and approv'd by, the W H O L E House of Commons, that they were pleas'd to express their Sense of 'em by a signal mark of Respect after I ceas'd to be a Member of their House: when I consider that out of many Gentlemen of great Abilities and Knowledge in the Laws and Methods of Parliament the Commons have now again judg'd me capable of filling the Chair to their Expectation, I dare not put my own Fears and Diffidence of my self in Ballance with their Superior Judgement.

Now you must know, this W H O L E House of Commons, as Mr. *Broderick* calls it, consisted of about forty or fifty Men at *most*; a *Sett* of his own Friends, met by Appointment for that purpose: Among whom, it was mov'd, one Morning immediately after Prayers, that Mr. *Broderick* might have the Thanks of the House for his Services in some former Sessions; and carry'd accordingly.

I had never thought of troubling Mr. *Broderick* with this Truth: Had not he himself thrown it in my Way:

Way: For when I found him so very industrious, to tell the World of the Honour that was done him; I thought it but *fair*, they should also be told the *Manner* in which it was done him: And now my Hand's in, I don't care if I let the *courteous Reader* know, that Mr. *Broderick* laboured this very Point for *some Years* before, with all the Friends he had: That the same thing was often attempted in a *Full House*, and *as often* rejected. Nor was he able, with all his *Art* and all his *Interest*, to compass this Honour till my Lord *Wharton* was in the Government, and Mr. *Recorder* in the Chair; and even *then*, he *compass'd it by Contrivance*.

I am sure, that in some former Sessions, the House were so far from being dispos'd to give Mr. *Broderick* their Thanks, that when they saw the Tendency of those Measures he drew them into, they were in a much better humour to *Disgrace* than *Honour* him.

I cannot omit, that the very next Day after Mr. *Broderick's* Approbation, his *Son* was so full of Resentment and Revenge against the whole Body of the *wicked Tories*, that he could not contain himself even towards the poor *Door-Keeper*, but turn'd him away from thence with the utmost Fury and Indignation; and with all the Reproaches, that could possibly be deserv'd by a *Loyal Subject* for *wearing a Laurel*: Tho' 'twas known he had serv'd in that Employment ever since the *Revolution*, without the least Imputation either upon his Honesty or Sufficiency for the Trust; and that he had succeeded his Father in that Service. To give this the better Face, a poor *Innis-killiner* was at first put into his Place; but Mr. *Broderick*, to *show his Regard for the Protestant Interest*, quickly exchang'd him for a better Man, a *Presbyterian*.

Soon after, came on the Election of Chairman for the Committee of Elections; Mr. *Anderson Saunders* and Mr. *Forster* Candidates; the latter of whom, carried it by a Majority of six Voices: Nor could it be expected

expected otherwise, when some of those that pretended to be most Zealous for the *Church Interest* deserted it in so critical a Juncture; tho' they well knew, the Issue of this Election was of the greatest Consequence to it. I cannot but repeat to the Reader what I observ'd before of the Honourable Sir *John Stanly*; namely, that he would not be at the trouble of making Votes for Mr. *Anderson Saunders*, tho' he could make 'em for asking: And how little it could be expected that he would, when he withdrew his own.

This Coolness and Remissness on the one side, cannot better appear, than by opposing it to the warm Zeal, and unwearied Diligence of the other; such as could induce Mr. *Broderick* to break through the Decorum of his Trust, and appear'd to vote for Mr. *Recorder*, after an extraordinary and unheard-of Manner. It being always presum'd, that the Speaker of a House of Commons, can know no Favour or Affection in any thing that relates to the Proceedings of that Body; but is as the *Link*, which suspends the Beam of a Ballance; the varying Weight of the House, may raise the Beam sometimes at one End, and sometimes at another, but the *Link* that suspends it is still the same: Always *Even*, and *Steadied* to one fix'd central Point: And whenever it ceases to be so, the Consequence is always Injurious to *One Side*; for as much, as the least Inclination *there*, varies the Ballance to a very great Degree. But indeed they that consider Mr. *Broderick's* Deportment in the Chair, will I believe be little surpris'd at this Irregularity out of it. And as for the rest of the World, I don't doubt, but they'll think it *as decent*, for *Broderick* the *Speaker* to vote at the Election of a Chairman, as for *Broderick* the *Lord Chief Justice*, to go to a Cockpit in his Gown, and bett with Butchers, &c. A Conduct, which did not reflect more Honour upon himself, than Advantage to his Son: Who happening to lose a considerable Wager, and not being in a Dispo-

Disposition to pay it, must (according to the Laws of the Place) have been hoist up in a Basket to the House-top; had not his Father's Authority screen'd him from Justice: Which gave occasion to many of his *honest Companions*, to be very merry upon his Lordship's Character, and make conclusions greatly to his Advantage: *He must needs be an excellent Chief Justice*, say they, *that hinders the Execution of the Laws: Marry if he does the Queen such Justice as he does the Cockpit, she has a fine time on't*, ***** says another, *and you may depend upon't he does.* But to return.—

When this *important Point* was carry'd, the next thing of course, was to strengthen their Interest as fast as they could, (for they did not yet think it strong enough to support them in all the Measures they design'd) by removing as many of the *disaffected* from their Councils, as they could find Friends that would Petition to succeed 'em: Who, upon Mr. Recorder's being elected Chairman, quickly appeared in great Numbers. However 'twas hop'd they would proceed at least with an *Appearance* of Justice: And that they would avoid any monstrous and shocking Abuse of their Power, to maintain their Credit at least by a *Semblance of Equity*, in Cases not glaringly unjust: But when 'twas observed, upon the very *first* Election heard before the *Committee*, that Perjury, Bribery, and Forgery, evidently appearing against their very good Friend Mr. *Wall*, in order to have himself elected for the Borough of *Maryborough* in the *Queen's County*, was nevertheless no just Objection against his being *duly elected*; 'twas plain, the *Party* were resolv'd to go through Stitch with their Work, to act above board, and not be retarded from their Glorious Designs, by any foolish Scruples of *Justice* and a *good Conscience*. The good of their Country was what they profess'd to pursue with the utmost Zeal: 'Twas a *good End*, and, according to the Doctrine of 41, could not fail to sanctify what ever *Means* were us'd in order to it. After

After this, when 'twas said the Commons had determined some Persons *duly Chosen*, who were elected by some Burghers of Corporations in the Absence of the Chief Magistrate; who, by the Charter, was an *Essential Constituent Part* of the Electors; and, as the School-Men call it, a *Conditio sine qua non*—When at another time they Resolv'd a Man duly elected, who was never nam'd 'till the Election was over; no Body was surpris'd or thought any thing of it; 'twas what every one expected.

And as they us'd extraordinary *Means*, so they us'd indefatigable Pains, and *unparallell'd Application* (as Mr. Broderick expresses it) to attain their *End*. They knew Time was precious, and therefore Expedition was necessary: Upon this View, they appointed *Committees* of Elections three times a Week, to meet at Four in the Afternoon; and tho' the House sat sometimes till Six or Seven in the Evening, yet the Committees never fail'd to meet the same Night; and sat, sometimes till Twelve at Night, sometimes till Two, and sometimes till Six in the Morning; but rarely rose before Twelve at Night. They propos'd and found *two* great Advantages from this *unparallell'd Application*; namely, first, that the *Old* and *Invalid*, were under a Necessity of departing before the Question was put; and these happen'd to be most on the Loyal Side: On the contrary, the young and unexperienc'd were Mr. Broderick's *best* Men; for they always depended most upon him, who knew him least. The *other* was, that those, whose Consciences would not let 'em consent to any thing that was notoriously unjust, *with their Eyes open* (as they say)—might take that Opportunity, of taking a comfortable Nap till the Question was put, and then they had nothing to do but divide with their Friends.

But there is one contested Election deserves our peculiar Notice, because the Determination of it was attended with many extraordinary and *unparallell'd* Circumstances: And that is the Election of the City

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of

of *Dublin*; Sir *William Fownes* and *Martin Tucker*, Esq; petition'd against the undue Election of *John Forster*, Esq; Recorder of the City, and *Benjamin Burton*, Esq; Alderman. In order to resolve which Petition to be *Frivolous* and *Vexatious*, and the Allegations therein contained, to be *False*, *Scandalous*, and *Malicious*, they proceed in the following Method.

x 1713- *First*, They call a Disturbance that happen'd at the *Tbolsel* on the Sixth of *November* last, about taking the Poll, a *Riot*, before they so much as saw any Examinations relating to it *, thereby taking upon them to *Prejudge the Causes then depending*; doing the very same thing themselves, which they charg'd upon the Lord Chancellor; as shall be observ'd more fully hereafter. In the mean time, 'tis delightful to observe, the *severe*, and never to be enough admir'd Impartiality, of this great Body; by which alone they were act'd to call this Disturbance a plain *Riot*, and the very next Day the Disturbance rais'd by Mr. *Dudly Moore* and others at the Playhouse, a *pretended Riot*.

But, because that Disturbance at the *Tbolsel* has not yet, that I know of, been put into a clear Light; I shall beg the Reader's Patience for a few Moments to relate that Matter just as it happen'd; from the Testimony of many Eye-witnesses of undoubted Credit.

About the End of *October* last, the Candidates for the City of *Dublin* met by Agreement at the *Tbolsel*, to take the Poll; Mr. *Recorder* and Alderman *Burton*, took Care to be there *first*, and as soon as they were fully possess'd of the place, their Friends, (I won't say by their Advice) put on a firm Resolution of keeping the other Candidates out: Accordingly when Sir *William Fownes* and Mr. *Tucker* came, they were deny'd Admittance; and when their Friends press'd to make way for 'em, they were attack'd by several

* *Vide Votes of the House of Commons*, No. 17.

several Bodies of Men, drawn up one behind another; and many of them knock'd down and bruised. But at last they were overpowered by Sir *William Fownes's* Numbers, and forc'd to admit him and his Brother; Sir *William Fownes* very well knew, that Scuffles of that kind were usual at Elections, and therefore he took no Notice of it, was not in the least solicitous, *to take Examinations, or to form Indictments*; but as soon as he came, desired to proceed upon the Business of the Day; but Mr. *Recorder* put it off to the 6th of *November*, for Reasons best known to himself: However Sir *William* took that Opportunity of Remonstrating to Mr. *Recorder* the Inconvenience of taking the Poll in that place, where such Numbers, as were won't to assemble upon those occasions, (especially if consider'd as opposite contending Bodies) could not possibly meet without crowding; and in all probability quarrelling with one another: And therefore desired they might adjourn to the *Blue Coat-Hospital*, the usual place of Polling; where there was Room enough: And surely whoever considers that the *Tholsel* is in the Heart of the City; at the meeting of the four narrowest Streets in it, which are, at the same time, the greatest Thoroughfares; almost always crowded, but especially in *Term-Time*, as it then was: That besides all this, the Stage for Polling, was erected in the narrowest Nook of that narrow Place; cannot but be convinc'd, that Mr. *Recorder* propos'd some extraordinary Advantage to *himself*, and Disadvantage to his *Competitors* from that Situation: Otherwise he would not have so obstinately refused to Poll at the usual place; and insisted upon Polling, where no Poll had ever before been taken in the Memory of Man: And indeed, 'tis evident that he propos'd these following Advantages from it.

First, That the *Tholsel* being the place of Mr. *Recorder's* Authority and Jurisdiction, all the Officers and Servants of the place were entirely in his Interest,

rest, and at his Beck; and therefore, wou'd take care, not to admit any Persons into it, 'till he and his Friends were possess'd of all the Avenues to the Stage. And, *Secondly*, because the Space below Stairs, was Narrow and Crowded, all his Voters *for the Day*, were sure to be admitted into the spacious Chambers over-head; to be there entertain'd as he thought fit, and to be admitted from thence to vote, by a Door that sided the Stage, without being oblig'd to thrust through the Crowd. By this Means he shou'd have it in his Power to Poll a great part of his Votes, before Sir *William Fownes* and Mr. *Tucker* cou'd Poll one Man: And then, their Printed Lists at Night, wou'd be such Demonstration of their Superiour Numbers, that many Hundreds of Sir *William Fownes's* Men, wou'd be discourag'd from throwing away their Votes, where they might injure themselves, and do him no Service.

In pursuance of these Advantages, the method propos'd by the Sheriffs was this; that the Corporations shou'd Poll according to their Precedency, the *Guild* first, the *Taylors* next, the *Shoemakers* next, and so on.

Now, Mr. *Recorder* knew, that tho' Sir *William* and Mr. *Tucker*, had a Majority in many other Corporations, yet *he* and his Friend, had a great Majority in these *three*, and therefore, for the first Day or two, they were sure to carry all before 'em: Which, as I now observ'd, wou'd be such a Discouragement to Sir *William's* Party, as cou'd not fail to ruin his Undertaking: to obviate these apparent Disadvantages, Sir *William* and Mr. *Tucker* propos'd, that they shou'd poll first *Fifty* of *One Side*, and then *Fifty* of the *Other*, all through: Than which there cou'd not be any thing more fair and equal; as every one will judge; but this wou'd not answer Mr. *Recorder's* Ends, and therefore if they wou'd not Poll by their Corporations, in the Method propos'd, they must Poll promiscuously as they cou'd come up to the

the Stage; which, from the Reasons already laid down, must give him and his Colleague infinitely the Advantage; and moreover, occasion much Tumult and Strife. These Terms Sir *William* and Mr. *Tucker* were forc'd to submit to, because they cou'd get no other, that were not plainly inconsistent with their Purpose.

When, therefore, they came with their Friends, to Poll, on the Day appointed; they found, as they expected, all the Avenues to the Stage, every Nook and Corner crowded with Mr. *Recorder's* Friends; in-somuch, that they were forc'd to be lifted over many Men's Heads, before they cou'd come to their Seats. Sir *William's* Friends seeing the Condition things were in, found themselves under a Necessity, either of using Force, or of being excluded that Day: And therefore cry'd out, *no Poll in this Place, no Poll, to the Green, the Blue-Coat-Hospital, the usual place of Polling!* and some cry'd, *down with the Stage.*

Upon this a Tumult arose; but no Violence offer'd to any Person, nor was the Stage broke; immediately the Sheriffs sent the back way for the Guard, who quickly came prepar'd for the Engagement, with Powder and Ball; tho' the General had given express Orders to the contrary. The Citizens seeing an arm'd Force come upon 'em, who, they knew, had no Right to intermeddle in their Elections, made no Scruple to repel 'em with all the Violence that they deserv'd: Little expecting, to be entertain'd with Bullets and Bayonets. The Officer gave the Word, and immediately they were pierc'd, and fir'd upon by great Numbers; *one* was shot dead upon the Spot, and several others dangerously wounded. By good Fortune it happen'd, that the Street they fir'd from, was much lower than the Level of the *Tholsel*, where the Citizens stood, and by that means most of the Bullets pass'd over their Heads; otherwise, doubtless the Issue of that Day had been very Dreadful.

When

When the People cry'd out, that one of Sir *William Fownes's* Votes was kill'd; Mr. Sheriff *Bradshaw*, (Grand-Son, or Grand Nephew to the Famous President of that Name) cry'd out, *kill Fifty more of the Dogs!* as appears by several Affidavits; for which he had afterwards the Thanks of the Honourable House of Commons: As also, the Officer, that commanded in that *brave Action*, had High Applauses of his Performance, from the Mouths of those Great PATRONS and Champions of Liberty. As shall be related in its proper Place.

In the mean time, 'will not be unworthy the Reader's Curiosity, to be inform'd, that this same Mr. *Bradshaw* and his Colleague, in a Petition by them *since* transmitted to Her Majesty, do alledge it, as a Reason why they can't *hold over*, that, not being proper Officers, they apprehend they shou'd be guilty of Murder, if they took upon them to execute condemn'd Persons; therefore I heartily embrace this Opportunity, of cautioning the malicious World, that they do not from hence-forward presume to treat the injur'd Characters of those worthy Citizens, with such Freedom as they have done hitherto: Since they have now given ample Demonstration of their Conscience and Integrity, by their *great Tenderness* to execute *Criminals*, and their *unexampl'd Readiness* to shoot *innocent Citizens*.—but to proceed.

The People, enrag'd to see their Fellow-Citizens butcher'd and murther'd in that barbarous Manner, tore up the Stage; and with the Planks of it, with Sticks and Staves, maul'd the Soldiers, (but not as they deserv'd,) till the Officer, being recall'd by the Direction of the Lord Lieutenant, thought fit to retreat with some Precipitation: And so this famous Day ended.

But Mr. Recorder not content with what was already done, resolv'd to take further Revenge upon all that appear'd for Sir *William Fownes* and Mr. *Tucker*; and therefore, in order to fix this Riot upon his

his Enemies, and clear his Friends, he took care to find out *fit Persons* to give full Informations against all Sir *William's* Friends, that were seen in the *Tbolsel* that Day, and, as it happen'd, against some that were not seen there; as they pretend to prove, by vowing that they were not within a considerable Distance of it that whole Day. He took care also, to have several Examinations relating to it, taken *privately* before some Aldermen his Friends; tho' the Lord Lieutenant had appointed the Judges of the Queen's-Bench to take those Examinations: And what is very particular, some of Mr. *Recorder's* Witnesses came with their Affidavits ready prepar'd for their Oaths: Of which he afterwards made his own Use in the House.

This is the Fact, as it happen'd, on the Sixth of *November* last; concerning which, it seem'd good to the Honourable House of Commons, to resolve, that it was a *Riot* on the side of Sir *William Fownes* and Mr. *Tucker*, and a Discharge of Duty on the Sheriffs Part.

The next Step that was taken by that Honourable Body in order to vote Mr. *Recorder* and Alderman *Burton* duly elected, and the Petition against 'em, *False, Scandalous, and Malicious*, was this—

Resolv'd, *That no Fellow, Scholar, or Student of Trinity College in Dublin, has any Right to vote in the Election of that City, upon Account of their having Chambers in that College.*

This, I presume, will appear a very Extraordinary Resolution, to all that consider the following particulars.

First, That these very Votes, which were now invalidated, were, at the Election and Return of the preceding Parliament, as good as any in the Nation: But then, it must be own'd there was this considerable Difference in the Case, *viz.* That *then*, they were given for Mr. *Recorder*, and Alderman *Burton*; but *now* they were given against them.

Secondly,

Secondly, It cannot be deny'd, but by the Constitution of the *College*, every Chamber is a Freehold; *for it is a Possession for Life, not to be defeated without the Consent of the Owner, unless by Forfeiture*: And as for the Value of them, the ordinary Rent to the Scholars, is twenty Shillings *per Annum*; and whether they are not worth *Forty* more, is submitted to all that know their Worth: As to the Fellows, 'tis well known that many of their Apartments are worth, perhaps, ten times that Value, without being liable to any Rent. The Parliaments of all former Ages were so sensible of these Truths, that the Votes of the *College* were never before, that I could learn, so much as contested, except once; and then, upon an Enquiry into the State of the *College*, they were readily allow'd; nay 'tis beyond all Dispute that they were allow'd even under the Usurpation of *Oliver Cromwell*; the present Arch-Bishop of *Tuam*, who voted at that time, in Opposition to the Desire of the *Provost*, is a living Witness of this Truth: And was ready to attest it, had the Commons desired any Satisfaction in that Point: But it seems the *Whigs* of *Ireland* were resolved to improve upon their Predecessors, and to go one step beyond *Oliver*: And therefore such an Attestation was impertinent to their Purpose, and would perhaps have spoiled their Scheme.

Doubtless, Posterity will be much amaz'd at this proceeding; and will denominate this Period of time *the Age of Barbarity and Ignorance in the Kingdom of Ireland*. Many curious Speculations, and subtle Disquisitions will be enter'd into; and many Causes of this Conduct will be assign'd, which the present Age know nothing of. At last, it will be concluded as the most probable Conjecture, ' that a certain *Otto-*
' *man* Emperor arrived, about this time, to an im-
' mense Heighth of Power and Grandeur, took it in
' his Head, to extend his Dominions beyond *Hercu-*
' *les's* Pillars; and in pursuance of that Design,
' mann'd

' mann'd out a mighty Fleet, to reduce some of the
 ' Islands of the Ocean to his Obedience; and fortu-
 ' nately lighting upon this Island, *Torn about this*
 ' *time with intestine Divisions, occasion'd by a WICK-*
 ' *ED FACTION* (whose Names and Memories
 ' will be remembered as long as *Cataline, Cethegus,*
 ' *Lentulus, &c.*) *he easily reduced it: Because, the*
 ' *obstinate Faction rather chose to leave it naked and de-*
 ' *fenceless, than they would supply the Necessities of the*
 ' *Government; unless the Famous Queen Anne, (then*
 ' *Reigning) would sacrifice one of the best and faithful-*
 ' *est of her Ministers to their Rage.*

' The Infidel Emperor at first, to secure his new
 ' Conquest by the Gentleness of his Government,
 ' preserved the antient Form of their Legislature;
 ' but in pursuance of the Precepts of the *Alcoran*,
 ' took this first Step to destroy their Religion and
 ' Learning; for their Universities being the great
 ' Support of *both*, the sure way to introduce Irreligi-
 ' on and Ignorance, and also to strengthen his own
 ' Possession by subduing all Notions of Loyalty and
 ' Allegiance to their true Sovereign *Queen Anne*, in
 ' the minds of the People, was by taking away all
 ' Power and Credit from the Universities, where
 ' these things were taught.'

These perhaps will be the Conjectures of future
 Ages upon this Conduct, and thus far indeed they will
 be in the right; that, that which, to all intelligent
 good Men, and good Subjects, one should think,
 would be an invincible Argument for supporting the
College in its Rights, Namely, *That it was the Nur-*
sery of Religion and Learning, and Loyalty, was the
 very Argument that was used against it. Such Prin-
 ciples of Religion and Loyalty were propagated *there*,
 as some of the Honourable Members thought they
 had Reason to thank God, *They were not Tainted*
with; and therefore openly bless'd their Stars, that
 they had not their Education in that Place. For,
 when the Honourable Captain *Richard Stewart*, in

the Close of an excellent Oration, in behalf of the College, lamented his own Misfortune that he had not his Education in that famous University: For then, he would have been better enabled to defend their Rights; and charged it as an unpardonable Ingratitude, in all those, that had been bless'd with that Advantage, if they did not employ that Eloquence which they derived from it in its Defence, &c. Young Mr. Broderick got up, and thank'd God, that he had not his Education in it; for that they taught Tenets there, contrary to **SOUND REVOLUTION PRINCIPLES**: Mr. Whitshed seconded him in that Observation, and, according to the known Practice of all Men of his Principles, villify'd University Education, to the utmost of his Power. In a word, the Sense of the House was with those two polite and learned Members; the Question was put, and the Resolution abovementioned was agreed to. And thus, what the Rebels of a former Age spared, their Issue, the **PATRIOTS** of the present, violated.

I cannot omit in this Place, (tho' I relate it with Reluctance,) a Circumstance so amazing and incredible, as cannot fail at once to shock the Reader's Belief, and raise his Wonder: And that is, that whilst a brave Stranger strenuously asserted, and, with a Flood of moving Eloquence, vindicated the Rights of that unhappy College; a deluded Native gave 'em up: A Son that was not only nurs'd up in it, and fed by its peculiar Indulgence, but even at that very Moment subsisted by its Benefit: I am sensible the World expect a severe Censure upon his Conduct: But for my own part I have so much Tenderness for the Memory of that unfortunate Man, that I rather wish it buried in Oblivion; at least, that it may never be remembered to any other purpose, than to deter Posterity from sacrificing the Rights of that venerable Society to the Artifices of its worst Enemies, however veil'd and dissembled.

After

After this the Honourable House, to demonstrate to the World that their Affection was not less to the Church of *Ireland* than to the University that supports it,

Resolved, That no Vicars Choral, they being Members of an aggregate Body, have any right as such to vote as Freeholders in the Election of the said City.

i. e. Tho' those Vicars Choral have as good Freeholds as any upon Earth, for that's allow'd, yet they are no Freeholders; a Doctrine truly new, and greatly conducing to the Preservation of the Rights of the Subject.

I dare be sworn the Ideots our Ancestors imagin'd, that the Reason, why the Law allow'd certain Persons called Freeholders, to vote for the Representatives of that Place where their Freehold lay, was, because they had an Interest there of a considerable Value for Life; and therefore were nearly concerned, in choosing such Representatives, as were acquainted with the Condition, and Circumstances of the Place; and for that Reason, best able upon all Occasions to promote their Welfare, and secure their Interest; To see, that in the making of Laws, they had an equal share of Advantage with their Fellow Subjects, and not more than an equal share in the publick Burdens.

But now, the case is alter'd, 'tis not your having such an Interest, of such a Value *for Life*, that makes you a Freeholder: no, 'tis the having that Interest, solely, and not jointly or in common with other Persons. For if a Body of Twelve Men have an Estate of 1200*l. per Annum*, after such a manner, that every one of 'em has *one* hundred Pounds, no Man will deny but they have a considerable Interest in the Welfare of the Place where that Estate lies; but yet, they are no way concern'd in choosing Representatives in Parliament for it; to secure or advance their Interest. The Reason is plain, from the Resolutions of the

greatest Champions of Protestant Liberty in the Christian World, *they are Members of an Aggregate Body.*

Upon this Occasion, it naturally occurs, to put the Question seriously, to every Freeholder of this Kingdom, that values *that Priviledge* as he ought; *how far he shou'd for the Time to come, be fond of voting for such Representatives, as will destroy their Electors legal and undoubted Rights, whenever they become inconsistent with their own Interest?* Also to enquire, how far the *Taylors* and other Corporations, who have Land-Estates, and, upon that account, are wont to vote for Representatives, where those Estates lye, are concern'd in the Case? And whether they, or any other Aggregate Bodies, will think it proper in the Election of any future Parliament to vote for such Persons, as have already done all that in them lay to destroy the Rights of such Bodies.

By the two Resolutions last mention'd, the Honourable House struck of at once some hundreds of Sir *William Fownes* and Mr. *Tucker's* Votes: And whereas those Gentlemen set forth in their Petition, that the Sheriffs had taken the Votes of many hundreds of naturaliz'd Foreigners, who were excluded by an Express Act of Parliament from voting, in the Election of *that*, or any ensuing Parliament; yet the Honourable House of Commons did not think fit to enter into the Merits of their Votes, or determine any thing concerning their Validity: And, so they remain'd, as valid as any other whatsoever: Such was their laudable Ambition to demonstrate themselves good Patriots, by the Tendernefs and great Regard they shew'd for the Rights and Priviledges of Foreigners, compar'd with that which they express'd for the Natives of their own Country in the Resolutions now mention'd.

Now then take the State of the whole Matter at one View: Consider, some Hundreds of good Votes invalidated, on the side of Sir *William Fownes* and Mr. *Tucker*;

Tucker; consider on the side of Mr. *Recorder* and Alderman *Burton*, some hundreds of illegal Votes made good; and then I presume you will be sufficiently prepar'd for the following Resolutions.

Resolv'd,

That *John Forster*, Esq; is duly elected as a Citizen to serve in this present Parliament for the City of *Dublin*.

Resolv'd, That *Benjamin Burton*, Esq; is duly elected, &c. And then,

Resolv'd, That the Petition of Sir *William Fownes* and *Martin Tucker*, Esq; is Frivolous and Vexatious; and the Allegations therein contain'd are False, Scandalous and Malicious.

But then you must not think to stop here; by no means; 'tis not enough that Mr. *Recorder* has carried his Point for this time; no, that's but a small part of the Design; the Business is, to take care, that he carry it for all times to come—and in order to that, all those that favour'd and abetted his Interest, must be Applauded and Encourag'd; and on the Contrary, all that were active in behalf of Sir *William Fownes* and Mr. *Tucker*, must have the Displeasure and Vengeance of that House executed upon 'em with the utmost Fury; to deter any impudent Citizen, as he values his Liberty or Fortune from daring to give the Worthy *Recorder*, and his Friends, any Opposition whatsoever for the time to come.

And therefore now——

Resolv'd, that it appears to this House, that in Order to prevent the taking a Free Poll on the 6th of November 1713, at the *Tholsel*, and to procure the said Sir *William Fownes* and *Martin Tucker*, Esq; to be chosen; a dangerous Design was form'd, to Insult and Mob *Thomas Bradshaw* and *Edward Surdevill*, Esqrs; who acted as Sheriffs, in the said Election, together with *John Forster* and *Benjamin Burton* Esqrs; two of the Candidates of the said City; and the Persons who came to vote for 'em: The Reader must observe,

observe, That nothing appear'd in Proof of this Design, but the Conduct of Sir *William Fownes* and Mr. *Tucker* and their Friends upon that Occasion, already related at large; except only, in one Particular; and that is, that it was proved before the Honourable House of Commons, that, when the Tumult arose, Sir *William Fownes* us'd all his Endeavours to allay it. I shall not be so rude as to contradict the Resolutions of that House; but this I will say, because 'tis a known Truth; that, *it was never yet prov'd that there was such a Design; nor was there any Motion made, or Step taken, to put it in Execution.*

After this —

Resolv'd, That it appears to this House, that in pursuance of the same Design, a great Number of Persons, arm'd with Swords, and Clubs, among whom were many *Papists*, and others unqualify'd to vote, came with Sir *William Fownes* and *Martin Tucker*, Esq; to the *Tholsel*, on the 6th of *November* last, in a tumultuous Manner; and during the time, that *Thomas Bradshaw* and *Edward Surdevill*, Esqrs. were proceeding on the Queen's Writ, tore down the Stage, erected for taking the Poll, with the utmost Fury; and put the said *Thomas Bradshaw* and *Edward Surdevill*, and *John Forster* and *Benjamin Burton*, Esqrs. two of the Candidates, with several of the Electors, in great Terror and Danger of their Lives.

I shall only observe, that among these great Numbers of *Papists*, and others unqualify'd to vote, it cou'd never yet be made appear, that there was any more than one of the latter, and two of the former; concerning one of whom, (whose Name was *Cotter*.) *Col. Southwell* thought fit to express himself thus, *This is the Son of Sir James Cotter, Famous for nothing but killing the Great Lord Lyfle!* The Reader will please to observe, that this *Great Lord Lyfle*, was famous for nothing, but being a *Rebel*, and a *Regicide*; and yet 'tis made an Aggravation of

Cotter's

Cotter's suppos'd Crime, that he was the Son of *him that slew the Traytor*. But to proceed — I take it for granted, that it never appear'd there were any other *Papists* at that Election, because I'm sure the Commons of *Ireland* are such true PATRONS of Liberty, such zealous Assertors of the *Protestant Interest*, and such sure Enemies to Popery ; so Impartial also, in all their Proceedings, that if they had known any others than those they animadverted upon, they wou'd not have let them escape uncensur'd ; tho' indeed to do the Honourable House Justice, it must be own'd, that it was attested before them, by one of Mr. Recorder's Witnesses, that, *there were several Papists among the Mob that disturb'd the Election* ; and being ask'd, why he thought them *Papists* ? He answer'd, *because he did not see 'em at Church* : And being ask'd, *What Church* he went to ? he reply'd, *the Church of Christ, call'd by some the Presbyterian Meeting*.

But, in order to a thorough Understanding of the Resolution last mention'd, 'tis necessary to give the curious Reader a Caution, that he do not understand many Words in these Resolutions, by any means, in the vulgar Acceptation of 'em ; for that wou'd lead him into infinite Errors : No, 'tis his Business to take the Interpretation of 'em from Authority ; and therefore, in the present Resolution, the word *many*, must not be understood of more than *One* or *Two* at most : This is plain, both from the Resolution it self, and the Truths that support it : The word *Club* also, must be understood, not of a long Staff with a pound of Lead at the End on't, or a Hedge Stake, or a Pole, or any thing of that Kind ; but of a common *Cane* or Walking Stick : This appears, from the Sample of Mr. *Harvey's Club*, produc'd at the House of Commons, and handed about among the Members ; for ought I know, it might have weighed near some half a pound or thereabouts : Agreeably to this Caution and Exposition, the Reader must take
care

care that when he reads the last Address of the House of Commons, or the Speaker's Speech upon presenting the Bill, to understand by *the vilest part of the People*, not the Meanest, and the Worst, (for 'tis certain that by those Words the very Flower of the City is intended) but *those which that Honourable House set least by*. But the word *Sword* must indeed be understood in the common Acceptation: But yet under a very particular Restriction, *i. e.* as it is included in the * Idea of a Scabbard; for if you consider any of the Swords on the side of Sir *William Fownes* and Mr. *Tucker*, and their Friends, separate and divided from that necessary *Adjunct*, be assur'd you will entirely misconceive them; and in their stead, will form to your self a Notion of Mr. *Recorder's* and his Friends Swords, which were the only Blades that saw the Light, or deserted their Scabbards that Day; unless you'll please to except the Soldiers Bayonets above-mentioned. 'Tis true indeed there were great Numbers of Swords that Day among the Friends of Sir *William Fownes* and Mr. *Tucker*; because not only the best and most creditable Citizens, but also the Principal Gentlemen of the whole Town, accompanied them to the Place of Election: But 'tis *as true* that they were as peaceful as their Laurels: And that not one of 'em were drawn; tho' Mr. *Recorder* and his Friends shew'd 'em an Example, which if they had follow'd, the Consequence must unavoidably have been very Fatal.—But indeed tho' these Gentlemen drew their Swords, yet it must be own'd they did not use 'em: Forasmuch as a good Number of Soldiers, strongly suspected to be in Mr. *John Forster's* Pay, sav'd him and his Friends the labour of Murder and Bloodshed—

I cannot quit this noble Resolution, without taking Notice of one Expression in the Close of it; and that is, that the *Candidates were put in great Danger, and*
Terror

* *Vid. Prin. of Hum. Understanding.*

Terror of their Lives : And indeed I can't believe any one will think it hard, or strange, that they that occasion'd the taking away of one innocent Life, and the Danger of many more, shou'd in Consequence of that Action be put in Terror of their Own. And here 'tis worth observing, that the Iniquity of their Proceedings, gave all the above-mentioned Persons such dismal Apprehensions of their Danger, and many malignant Designs against 'em, that upon the last Day of the Poll (which Sheriff *Surdeville* villainously refused to take at the *Hospital*, according to Agreement under Hand and Seal) they were all so scared with their own Guilt, (for no one did, or so much as attempted to, touch 'em) that they ran away by back Doors, through Entries, and Cellars ; climb'd over Walls, and Houses, and God knows where, *to the great Terror and Danger of their Lives*, tho' there was not a Soul nearer to 'em than the open Streets. Verifying the Wiseman's Observation, *The wicked flee, when no Man pursueth.*

After this the Honourable House

Resolv'd, That the Sheriffs acted with great Prudence, Integrity and Impartiality. Tho' it was notorious that they refused to set any of those Votes which they had the least Suspicion of, to the Account of Sir *William Fownes*, and Mr. *Tucker* ; at the same time, that they receiv'd and number'd some Hundreds of Votes for Mr. *Recorder*, which they knew to be illegal ; and even Mr. *Recorder* himself own'd publicly in the *Tbolsel*, *he believed they wou'd do him no Service.* To aggravate their Villainy, they excused this Practice at the Castle, the Night they put an End to the Election, by saying, that *they receiv'd those Votes, because no Body had objected against 'em* : Tho' it was known to many hundreds, that Mr. *Jackman* publicly read to, and shewed, them the express Act of Parliament, that took away the Votes of those Men ; and bid 'em, *receive 'em at their Peril.*

Another signal Instance of their Impartiality is, that they clos'd the Poll, tho' Sir *William Fownes* and Mr. *Tucker* not only earnestly desired it should be continued, but even whilst they offered several Votes, and called loudly for a Poll —

And as to their Prudence and Integrity, 'tis certainly a noble Argument, and an *unparalell'd* Instance of it, that they procured the Murder of one Man, and called out for the Murder of 50 more.

In the next Place the Honourable House Resolv'd all those into Custody that were Active or Zealous in behalf of Sir *William Fownes* and Mr. *Tucker*; and this upon an Imputation of their breaking down the Stage: Tho' 'tis certain, that some of them were as innocent of that Fact, as some of my courteous Readers, who shall have the Happiness to peruse this important History a thousand Years hence.

Nay the Question was put, whether Sir *William Fownes*, Knight, and *Martin Tucker*, Esq; should not also be taken into Custody; and pass'd in the Negative only by two Voices: I don't doubt but my Reader has concluded by this time, that the Voices by which they were sav'd, were those of their Antagonists: But because I would not leave him under the Delusion of so gross an Error, I think myself obliged in Conscience, to let him know, that he never was more mistaken in all his Life; and to assure him, that those two Members, *Truly Honourable and Worthy*, were so far from voting for their Competitors, or even from standing Neuters upon the Question; that they *both*, with *unparalell'd* Generosity, divided against 'em: With this height'ning, and very remarkable Circumstance, that a Gentleman of the other side, who had some Tenderness for Mr. *Recorder*, came to him, and told him, *Sir, I have so much Esteem for you, that I would not have you do any thing unworthy a Man of Honour; do you divide for Sir William Fownes, it shall be no Disadvantage to your Friends, I'll divide against him, tho' I am otherwise*

wise determined (as I have always done hitherto) to vote for him: Mr. Recorder made Answer, he would not desert his Friends, in any Point or upon any Account whatsoever—And so divided against him.

After this they had nothing to do, but to Resolve, that the noble Captain, (Lieutenant King, afterwards an eminent Brewer) who commanded in that Important Service, had discharg'd himself with great Honour and Bravery; and whereas it was suggested, that he was in Danger of losing his Commission for disobeying the General's Orders, 'twas answered, *That if he did lose it, that House would give him a better.*

I believe, the Reader will be pretty much surpriz'd, to hear a House of Commons talk of giving Commissions; a Power never pretended to, by such an Assembly, before the Rebellion of 41: and even then, scarcely assumed by that renowned House, in the first Fortnight of their Session.

But in the mean time, till there was Occasion to exercise that Power, 'twas fitting, that, as the noble Captain had deserv'd so highly of his Country in that Important Trust, so, he should be encouraged up to his Merits; and therefore 'twas Order'd, That the Resolution, in Favour of him, should be laid before the Right Honourable the Lord Lieutenant, in order to his Preferment: And was done accordingly. And thus, this Honourable Body were pleas'd to take upon 'em, to *Prejudge a second Time*; and that, not in a *Riot* produced by Intemperance and ill Principles, but in a matter of Blood.

But there are yet behind two such shocking Circumstances of this Conduct, as I am confident cannot but strike a *Christian Reader* with Horror and Amazement; and that is, that they pass'd this Resolution in Favour of the Captain above-mentioned, *from his own Testimony of his own Conduct*: and tho' General Stewart often rose up in the House, to vindicate himself, to give them full Information in relation to the Officer, and to put the whole Matter in

a clear Light, and press'd and begg'd to be heard; yet Mr. Speaker still put him off upon one Pretence or other: nor could he ever obtain that Privilege. I shall not trouble the Reader with any Reflections upon this Proceeding, 'tis of such a nature, *as nothing can Aggravate or Alleviate.*

The *other* Circumstance is this, that tho' these Patriots were exceedingly solicitous, to make a thorough Search into many weighty and important Points; such as the Number of Persons unqualify'd to vote, that appeared at the *Tholsel*; the Nature and Size of Mr. *Harvey's* Stick; the black and deep Design, couch'd under that wicked Contrivance of Sir *William Fownes*, to distinguish his Friends by wearing Lawrel, upon the last Day of the Poll; and the like: Yet, the Death of a Citizen was a Matter so much below their Regard, that they industriously declin'd making the least Enquiry into it. *The shedding of innocent Blood*, was a Trifle unworthy their least Notice: nor were they any ways concerned *to put away the Guilt of it, that the Land might not be defil'd therewith*: That, it seems, they left to his Care, *who, when he maketh Inquisition for Blood*, will not be at a Loss at whose Hands to require it.

But tho' they did not enquire into it, yet they determined upon it; and pronounced him praise-worthy that spill'd it; and that, as was before observed, upon the Credit of his own Testimony, not bearing to hear any thing that might contradict it.

And now, let the World judge, what Weight it might reasonably be presum'd the Opinion and Authority of a House of Commons might have in this Case; and how far, *their* declining to enquire into the Death of that poor Citizen, and yet at the same time passing Votes in Favour of those that slew him, *might discourage a Prosecution against 'em, and prevent any further Enquiry upon the Matter? or even (after a Prosecution was form'd) influence and intimidate a Jury?* I had almost said, a Court. When the Reader

der compares these righteous Resolutions, with those pass'd afterwards against the Lord Chancellor, for calling a Disturbance at the Play-House a Riot; I doubt not, but he will form to himself, such exalted Notions of the Equity and Religion of this Conduct, as are much easier imagin'd than expressed: and therefore I shall refer him to his own Reflections.

Tho' I hold it needless, to give the World any further Satisfaction, in relation to the Integrity of these great Patriots, (eminent in all their Proceedings already related at large) yet I shall beg leave, to produce *one Instance* more of it; because at the same time that it demonstrates their inviolable Regard to Justice, it illustrates also their signal Zeal for the Protestant Interest: for which they have render'd themselves so famous to the World.

Upon the Petition of Sir *George St. George*, the House determined Mr. *James Donnelan* not duly elected to serve as Knight of the Shire for the County of *Roscommon*, because, *the Convert Protestants, who voted for him, cou'd not, at the Time and Place of Election, produce Certificates of having taken the Oaths, &c.*

Now, 'tis pretty remarkable, that, *the Law requires all Certificates of this Nature to be upon Record: so that it was not necessary to produce 'em at the Election.*

And therefore to understand this Conduct aright, the Reader must be inform'd, that this Determination was in pursuance of a settled Maxim among the *Whigs* of *Ireland*, that, *the best way to strengthen the Protestant Interest, is by Discouraging all those that come over to the Established Church, by all Methods imaginable: except only those, that are of their Principles.* In Consequence of this Maxim, 'twas a Point long under Consideration, the last Session, *whether they ought not to Disable all Converts from holding any Employment of Profit or Trust under Her Majesty in that Kingdom?* and, without Question, a Bill wou'd have

have been prepared for that purpose, had not their Proceedings been unfortunately interrupted. Nay, 'tis a Moot Point, whether, in the Humour they were then in, they wou'd have excepted even *****; tho' some are of Opinion, they wou'd have pass'd the Bill with a Salvo to some of their own particular Friends, who have given good Proof of their being true Protestants, *by their undutiful Demeanor to her Majesty, and their signal Disaffection to the Establish'd Church*; the only sure Marks of a true Convert.

But, 'tis now high time to hasten to the great End of all these extraordinary Proceedings. The Leading Men of the *Faction* had long since openly and frequently declared, that the Lord Chancellor shou'd not see another New-Year's Day in that Kingdom: and therefore, in Order to make good their Promise, (the only one they designed to make good that Session) they did indeed use indefatigable Industry, and *unparallel'd Diligence*, to model the House to their own liking; and to prepare all things for the Execution of this grand reigning Purpose of their Souls. And in order to it, after a three Years Inquisition, they brought down *Three* formidable Charges against him. *One*, relating to *Twisleton* the Trumpeter; *another*, to *Lloyd* the News-Writer; and a *Third*, to Mr. *Dudley Moore*. And tho' the first of these Charges was brought against him somewhat earlier than the other two, namely, before the Election of the City of *Dublin* was determined, yet I chose to treat of it in this Place; that the Reader might form to himself a more clear and adequate Conception of their Proceedings against the Lord Chancellor, by taking them all in together, as it were at one uninterrupted View.

First then, 'twas charg'd against the Lord Chancellor, that he had suffer'd one *Twisleton*, a Trumpeter, not only to sound before him at the Play-House, but also to put his Name to a Bill for a Musick-Meeting; a Person alledged to have returned from
France

France without Licence, and a profess'd Papist. This a certain Noble Col. thought it necessary to complain of to the Honourable House, out of his great Zeal for the Protestant Religion; and from the sad Apprehensions he had, of the dismal Dangers that threatened it, from this same Trumpeter; whose Errand he concluded was to declare War against it; and who he imagined, in the present Circumstances, might well enough be considered, as one of the *Pretender's* Heralds; sent on purpose to prepare his Way. All these things put together, made it pretty evident, that for the Lord Chancellor to hear him, tho' he did not know him to be a Papist, was in reality no less than openly to encourage Popery, and to *Act contrary to his Duty, and contrary to the Protestant Interest of that Kingdom.* And now, God knows where all this wou'd have ended, and whether it wou'd not have sav'd the House a great Expence of Lucubration and Fatigue, by giving them a fair Opportunity, of immediately drawing up an Address to Her Majesty, upon proper Resolutions easily deducible from this important Head, *to remove the Lord Chancellor of Ireland from his Place of Lord Chancellor of that Kingdom; for the Peace and Safety of her Majesty's Protestant Subjects, &c.* had not another Honourable Member unfortunately blunder'd out, that he had seen this *Twisleton* found before my Lady Dutchess of *Shrewsbury*: This unhappy Accident put a strange Damp upon their Spirits; for having no Intentions to remove her Ladyship at that time, the *Grand Design* had most certainly sunk to the Ground that instant, had not the Noble Colonel, who first introduced the Complaint, pursu'd it also in this critical Juncture with his usual Bravery: For, when the whole House was at a full stop, up rose the Hero once more; and told 'em, that, *he had taken Care to inform the Lord Chancellor, who this Trumpeter was, by desiring Mr. Joshua Dawson, to acquaint the Lords Justices therewith; that so they might be left without Excuse.*

This

This happy Turn reviv'd their sinking Spirits, and put them into a new Transport of Joy : But, alas ! *how fading and delusive is human Felicity !* the glad-some Transport scarcely surviv'd the first Moment of its Birth ; for Mr. *Dawson*, being immediately call'd upon, declared that he did inform the Lords Justices, and that, upon that Information, they had ordered *Twissleton* to be apprehended : Enrag'd, and out of all Patience (as indeed they might well be) at this repeated Disappointment, they turn'd all their Resentment upon Mr. *Dawson* ; for as much, as he had omitted a most material Circumstance in his Relation of this Fact to their Lordships ; and that was, that he did not tell them, *that he had his Information from Col. Southwell*, (and yet after all this, the Col. himself confess'd to Mr. *Dawson* that he knew nothing of the Matter more than by hear-say.) And without doubt, *he* had felt the said Effects of their just Indignation, had not the same Noble Colonel been as merciful as he was valiant ; and told the House, that he knew Mr. *Dawson* to be a good Protestant ; and, that he had no Design to injure him by that Complaint, and therefore desired Leave to withdraw his Motion ; which was happily granted him accordingly. And thus, this momentous Complaint most fatally miscarry'd : tho' some think, the Reason why it did so, was because it was introduc'd out of Season.

Ill-tim'd Complaint ! Fatal Miscarriage ! oh ! had the Fates so order'd, that these Noble PATRIOTS had but pursu'd the Scent but for one Hour longer, how gloriously had their brave Endeavours been crown'd with Conquest and Success ! forasmuch, as 'tis credibly reported, that the Lord Chancellor wou'd in a few Moments have come down to their own Terms ; and been glad to deprecate their Displeasure upon his Knees : Nay, 'tis affirm'd, that a certain Lawyer (a Friend of his) was at that Moment drawing up a Form of Acknowledgment and Submission, for him, in these or the like Words.

GENTLE-

GENTLEMEN,

*B*eing sensible of your Unparallel'd Application to do your Country's Business; and of your unexampl'd Dispatch, in clearing your House of Members that wou'd not join in compassing those glorious Designs you have in View; and not knowing how little Space you may have, to accomplish those great Ends; I come, to save your precious Time, and to prevent the long Debates which otherwise may be occasion'd on my Account. I freely own, that not knowing, of what vast Consequence, the Religion of a Player, a Fidler, a Trumpeter, &c. is to the Protestant Interest of this Kingdom, I, together with my Lord A. B. of Tuam, did give Leave to Twisleton (O! had I never known his Name) to mention in his Bills, that his Concert of Musick was by our Commands. I did likewise hear his Performance at the Play-House; but having no good Ear for Musick, I cou'd not distinguish his Religion by his Sounding. I don't imagine, the Ignorance that my Behaviour in those respects was Criminal, can be allow'd as any Mitigation in a Matter so dangerous to the Protestant Interest, and the Welfare of this Kingdom: because, I ought to have consider'd better; nor can I believe, my not knowing Twisleton to be a Papist (tho'tis true) will be allow'd as an Excuse, because, no Protestant ought to go to any Play, or hear any Musick, before he is well inform'd of the Religion of every Player and every Musician. But I submit to the great Wisdom of this Honourable House, if it will not be some Mitigation of my Offence, that I was drawn into it, by the Example of Members of both Houses of Parliament, and Ten Thousand other People. You remember, that in 1711, his Grace the D. of Ormond, then Lord Lieutenant, brought over one Signior Nicholini an Italian, and a known Papist: did not he sing several times during the Sitting of the Parliament? how many Guineas, Pistoles, &c. did the Members of both Houses give to hear him? was the D. of Ormond Vot-

ed an Enemy to the Kingdom for bringing him over? or was any Address to the Queen to recall his Grace or banish Nicholini for the Peace and Safety of her Majesty's Protestant Subjects? if there had, I had been inexcusable.

If what I have now offer'd have any Weight with this House for my Excuse, I solemnly promise, that, for the time to come, I will never see a Play, or hear any Musick, till positive Oath made before the Recorder, Alderman Quin, or some other True Blue Protestant Justice, that not one of the Performers is a Papist: Nay, if I can find that so much as a Box or Door-keeper, is not of your Kidney, he shall have Spike's Fate, and be immediately removed, whether I have a Right to do it or no. But before I take my Leave, I must desire to be inform'd, whether it will be sufficient to swear that they are not Papists, or whether you will think it necessary to have it express'd what Religion they are of? because I own I do not so thoroughly understand the Signification of the Word, Protestant, as this Honourable House are pleas'd to use it.

The Advantages of this seasonable Submission had not terminated in this single Instance, but remain'd a lasting Record, and Terror to all future Governors, how they gave any Encouragement to Popery, for the Time to come; and so, wou'd have been a strong Barrier, and signal Security, against Popery and the Pretender. But alas! these happy Effects were most unhappily defeated; and that too, by the Warmth of that Zeal that shou'd have produc'd them, whose Eagerness to exert itself, was the true Cause, why it was spent so soon; and perish'd without any other Consolation, than the Satisfaction of having wasted itself in a Glorious Endeavour to no Purpose.

Nor was this the worst Effect of that unhappy Warmth; 'twas too violent to last long: and, as I am credibly inform'd, has now pass'd into the other Extream; insomuch, that the Noble Colonel above-mention'd can listen a whole Night to this very same Trumpeter,

Trumpeter, without any other Emotion, than such as is rais'd in him by the Charms of his Musick : and without the least Apprehension of *that* Guilt, for which the Lord Chancellor deserved nothing less than Death.

I know my Readers, of one Sort, won't easily believe me in this extravagant Relation, nor am I so unreasonable to expect it. I am sensible 'tis too incredible to be swallow'd down upon the Testimony of any single Man breathing ; and therefore, I refer 'em to five hundred Persons of good Credit and Substance, all within the Liberties of the City of *Dublin*; who, without the least Hesitation, will vouch for my Veracity in this Point : And will assure them, that not many Days since, there was a splendid Ball prepared by the Nephew of an Hon. Brigadier, a Member of the House of Commons, *eminent for his Zeal for the Protestant Interest* ; where the Company consisted of many renown'd *Whigs*, and illustrious *Papists*, well Pair'd, and among them the worthy Colonel so often mention'd ; and the principal Part of the Entertainment was made up of Mr. *Twisleton's* Trumpet and Voice, kindly relieving one another in a charming Succession. The Story is as well known at every Coffee-House and Tea-Table about Town, as a certain great Man's Dining at *Santry* ; and has occasioned as much Wonder. What Punishment this worthy Colonel deserves for such barefac'd Countenancing of Popery, let the next House of Commons determine : And since the *Whigs* and *Papists* join'd to pull down the Church and establish *Popery* in a former Reign, I leave the World to judge whether they are not the most likely to bring in the Pretender. And so I resume the Thread of my History.

This Disappointment serv'd only to whet their Courage and exasperate their Revenge against the next Onset. And therefore they now fix'd a Day for the Purpose ; prepared and secured their Friends by

all the Engagements imaginable; some lay even the most solemn Ties of Vows and Oaths; *to be Aiding and Assisting upon that Important Day*; which was Friday the 18th of December last: at which time the Committee appointed to inspect and enquire into the Proceedings had against *Edward Lloyd*, for Printing and Publishing a Book, entitled, *Memoirs of the Chevalier de St. George*; and to inspect and enquire into what Proceedings were had against *Dudley Moore*, Esq; about a late pretended Riot at the Play-House, deliver'd in their Report to the House; and a Debate arising thereon, 'twas ordered to be adjourned to the Afternoon, in Pursuance of that wise Policy abovemention'd, *of wearying out the Old and Invalid before the Question was put*. Accordingly the House met about Six in the Evening, and about Two in the Morning, after some previous Resolutions, they came to the following Votes against the Lord Chancellor.

Resolved, That the Right Honourable Sir *Constantine Phipps*, Knight, Lord High Chancellor of Ireland, having represented *Edward Lloyd* as an Object of Her Majesty's Mercy, and as not having an Evil Design in publishing the said Libel, in order to obtain a *Noli Prosequi* on the Indictment against him, acted therein contrary to his Duty, and contrary to the Protestant Interest of this Kingdom.

Resolved, That it appears to this House, that the said Sir *Constantine Phipps*, Lord Chancellor of Ireland, in a Speech by him made on the 10th Day of January, 1712, to the Mayor and Aldermen of the City of *Dublin*, being then one of the Lords Justices of Ireland, did take upon him (by declaring his Opinion) to prejudge the Merits of the Cause then depending between Her Majesty and *Dudley Moore*, Esq; and thereby to influence the Aldermen, some of whom are constantly returned on Juries on all Causes of Importance in that City.

Resolved,

Resolved, That an humble Address be presented to Her Majesty, humbly to beseech Her to remove the Right Honourable Sir *Constantine Phipps*, Knight, Lord Chancellor of *Ireland*, from his Place of Lord Chancellor of this Kingdom, for the Peace and Safety of Her Protestant Subjects of the said Kingdom, and that a Committee be appointed to prepare the same.

And a Committee was appointed accordingly.

Now for as much as the Reader will find full Satisfaction in relation to these Resolutions from the Representation of the Right Honourable the House of Lords, inserted in the Sequel of this History, I shall not any longer detain him from that excellent Performance, than by a few such short Observations upon the Proceedings of the Commons, as will be useful, in order to a more thorough Comprehension of the Integrity, good Nature, and great Regard to Justice, to the Constitution of their Country, and the Rights of the Subject, eminently discernible in the whole Conduct of those Illustrious Patriots in this Affair.

First, Then, whereas in the Votes of December the 18th, already quoted, you are given to understand, that *Edward Lloyd* printed and published a Book, entitled, *Memoirs of the Chevalier de St. George*; I am to let you know, that he never did print that Book; nor did it appear that ever he published it, otherwise than by printing an *Advertisement* to take Subscriptions for Reprinting it from a *London Edition*. i. e. he was guilty of an intended Misdemeanor.

Secondly, I desire to observe, that *Edward Lloyd* was represented as an Object of Her Majesty's Mercy, because of his great Poverty; the very Expence of taking out a Copy of his Indictment, amounting to a much greater Sum than he was worth in the World: When therefore the Lords Justices had hindered the ill Effects that Book might have in the World, (if such a wretched Libel could have any) by preventing the printing and publishing of it, and had Assurances, that no such Offence would ever-
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more be given to the Government by that Person, I believe the Reader will not be much astonished, to see him become an Object of Her Majesty's Mercy, so frequently extended to Persons in much worse Circumstances, by a Sovereign, who, in Imitation of Heaven, needs no other Recommendation to her Forgiveness than the Repentance and Amendment of the Offenders; and whose Goodness, many of her *Factionous Subjects* have Reason to bless upon that Account; even a worthy Member of the Honourable House of Commons, the Speaker's Son; one of the Lord Chancellor's most bitter Persecutors. And I never yet heard, that the obtaining that Mercy, in any of those Instances, was ever, before this time, charged as a crying Offence: and such as ought to render a faithful Subject incapable of serving her Majesty in a Station of Honour and Trust. 'Tis true, Mr. Speaker declared that the *Noli Prosequi* granted his Son, *was an unsought-for Favour*; but, I hope, the Reader will not believe that Gentleman deserv'd it the more, because his Father *added Falshood to his Ingratitude*: and denied the Benefit, at the Expence of a notorious ***** from the Chair. Whereas, 'tis known to many hundreds, that his Son, immediately upon speaking some treasonable Words in the Coffee-House, posted away to *England* to obtain that Favour: without Question, this Conduct will be a good Recommendation to her Majesty's Mercy for the future.

In the next Place, I must desire Leave to repeat to the Reader, an Observation made in the foregoing Part of this History; namely, *that the Protestant Interest is an Expression in great Esteem among the Faction of Ireland, to signify an Interest distinct from, and even contrary to, that of the Establish'd Church*: and this Observation may serve as an useful and true Comment, upon the Proceedings of the Commons, in relation to the first Resolve against the Lord Chancellor; and those Proceedings, as a Demonstration of the Truth
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of this Observation : because 'tis undeniable, that, for a great while, they were very hot upon voting him an Enemy to the Protestant Interest of *Ireland*. This, 'tis well known, was the Question in Debate for a considerable time : Now they knew full well, that Sir *Constantine Phipps* was as true a Friend to the Interest of the Establish'd Church of that Kingdom, as any Man upon Earth ; and that the whole Body of the Clergy were satisfy'd that he was so, (and that his being so was his greatest Crime) and therefore, by his being an Enemy to the Protestant Interest, they could not mean the Interest of the Establish'd Church, but some other.

Thus much of the Integrity of those great Patriots, in relation to the *first* Vote pass'd upon the Lord Chancellor : nor is this noble Virtue less eminent with regard to the *second* : as the Reader will gladly confess, when he understands, that the Speech produc'd in the House, upon which this *Guardian* Resolution was pass'd, was not the Speech spoke by the Lord Chancellor to the Lord Mayor and Aldermen ; but one that was made for him afterwards at the *Rose-Tavern*, by the *Recorder* and Aldermen ; as they themselves own'd : and yet these Honourable Gentlemen not only pass'd their Resolutions upon it, without ever desiring to see the true Speech, but also, from the Fullness of their Power, took upon them to print and publish it as the Speech, then spoken by the Lord Chancellor ; when they might have had the *Original* and Real one, for asking : but then, indeed, they would have lost one great End of exposing it to the World ; that is, they would have wanted an Opportunity of delivering his Sense, meanly and imperfectly in many Places, and of mangling it in all : They would have lost themselves the Advantage of sending it abroad in the *Recorder's* Patch-work Style, as in a Fool's Coat of many Colours, to the great Amusement of all Wisemen, and the Diversion of Fools.

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But, the *Honesty* and *Candour* of these Proceedings will yet better appear, if we annex to them the *exact Justice*, and *tender Regard for the Rights of the Subject* that shine thro' 'em; because these Virtues will best illustrate and set off one another. The Reader then is to be inform'd, in the next Place, that the Lord Chancellor *was condemned unheard*: The Honourable House being so well satisfied of their own Justice, that as they needed no Proof of his Guilt, so they wou'd give him no Opportunity of clearing his Innocence: for, tho' all his Friends pressed and laboured that Point to the utmost, yet all to no Purpose; he neither cou'd, nor must, be heard: and indeed, they that consider the Matter calmly, and go to the Bottom of it, think they find unanswerable Reasons why he shou'd not: for *first*, they say, there is a dangerous Precedent in the Case: Sir *Charles Porter*, who had gone before this Gentleman in the same Station, was also, like him, a professed Enemy to the Protestant Interest of that Kingdom, by being a true Friend to the Established Church; and when, in Consequence of this, he was persecuted by some of the Honourable Members of the present Parliament, they had the Misfortune to suffer him to be heard before they condemned him: and what was the Effect of that, *but that, as soon as he was heard, he was acquitted*. This, they thought, was a sufficient Warning to *Wise Patriots*, and might well teach 'em, *how to hear another Chancellor for ever after*.

Then, say they, this same Sir *Constantine* has all along had a strange Way with him, not only of putting Facts and Things into a true Light; but likewise, I know not how, of winning upon his Hearers Affections, and making himself believed in every thing he delivers for Truth: and, God knows, what the Consequence wou'd have been, to let such a dangerous Man speak before innocent and well-meaning Persons.

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Besides all this, 'twas shrewdly suspected, that if he had been heard, he wou'd have told 'em, *that he and his Colleague, were the very Men who hindered the printing and publishing of that same Libel*: and then shew'd 'em how easy it had been for him, (if he had been a Friend to the *Pretender*) to have printed and dispersed many thousands of 'em, without making the least Noise, or being ever liable to be call'd to an Account for so doing; two to one too, but he wou'd have convinc'd 'em, that *Mercy was no such great Sin in a Christian Country*: and, *that doing Justice to the Queen, cou'd not well be stil'd an Offence of the first Magnitude under a Monarchical Government*.

Then again, 'twas odds (being a shrewd Sophister) but he cou'd have demonstrated to the House, that the two Points of a Contradiction cou'd not meet: *and that his single self cou'd not possibly be two Lords Justices and a Privy-Council*. And that very thing wou'd have ruined the whole Design: These, and a thousand other things, he might have talked after his undaunted and easy Manner; which might be *Dangerous, and Destructive to their Purpose; and cou'd not be Necessary*; and therefore it wou'd not only have been a great Weakness, but in short 'twere little less than downright Madness to have heard him.

But I find, the World are divided upon the Point; and many Men of another Opinion despise and ridicule this way of Reasoning after a most unmerciful and insolent Manner. Ay, say they, you have prov'd indeed, that it was neither necessary, nor convenient to their Purpose, that the Lord Chancellor shou'd be heard; and what then? have you proved, that it was Reasonable and Just that he shou'd be condemned before he was? No sooner do they say this, but they fall into a most violent Resentment against these Proceedings; and yet, I know not how, at the same time,

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their Indignation, instead of weakening and disturbing their Reason, seems to add a new Force and Significancy to all their Arguments. The Proceedings of the Commons against the Lord Chancellor, say they, are most abominable and unjust, so contrary to the Law of Nature, that they wou'd shock a *Scythian* Common-wealth: And so expressly against the Fundamentals of our own Constitution, that they have a direct Tendency to destroy the very Foundation of our Liberties. For by the Laws of *England*, 'tis the Right of the meanest Subject in her Majesty's Dominions to be heard before they can be condemn'd to any Loss or Damage whatsoever; and this Right is the Foundation and Hinge of their Liberty; because without this, 'tis evident to the meanest Capacity, that all their other Rights can avail them nothing; for then, 'twou'd be in the Power of their Governors, to deprive them of 'em whenever they thought fit. And therefore, they that go about to rob the Subject of this Right, *and dare to do it even in one Instance, are by that very Act the declar'd Enemies of the English Constitution.* Nay, shou'd a Sovereign of *England* attempt it, upon the meanest of his People, he wou'd be deem'd a monstrous Tyrant that Moment: and that Resistance, which is now the *Doctrine* of these very Men, wou'd soon change its Name, and be call'd their *Duty*. Is then an Act of exquisite Injustice and Oppression, less tyrannick in the People than the Prince? or rather, is it not much more so, by how much 'tis more intollerable to be injur'd by our Equals or Inferiors than by our lawful and rightful Governors? But when it is consider'd, that *this is perpetrated, by the Guardians of the Subjects Rights, and the most professed Patrons of Liberty in the Christian World, and that, not against a common Man, or an ordinary and mean Subject; but against a Man of great Eminence, one of Her Majesty's first Ministers in this Realm, and Speaker of the House of Lords; then,* does this Conduct receive its last and highest

highest Aggravation: and such, as must make it shocking and monstrous in the Eyes of all Honest and Conscientious Men, and true Lovers of their Country.

But these Gentlemen do not stop here: they proceed yet further, and tell us, *that as it is the Right of every Subject to be heard before he is condemn'd, so it is his Right to be heard before legal and proper Judges; and to be try'd by his Peers.* And therefore, if they had been so just to the Lord Chancellor, as to have heard, and yet had not thought fit to acquit him, upon that Hearing, the proper Method of bringing him to condign Punishment, for any Crime that might appear against him, wou'd have been, either to have directed a Prosecution at Law against him, or to have impeach'd him before the House of Lords. *Whereas, to bring Disgrace and Damage upon a Man, by a Procedure, where the same Persons are at once his Accusers and Judges, is as iniquitous as any thing can be imagin'd.*

I own, I am not so well vers'd in the Methods and Proceedings of Parliament, as to be able to pronounce decisively upon this Point: But by all the Enquiry that I cou'd make among those that are, I cannot learn that a Precedent of this Nature, was ever known before, unless you'll except that of the Lord Lauderdale: which, from the Consequence of it, ought surely to have given no great Encouragement to our Adventurers in the present Case.

But however that may be, 'tis evident from the Nature of Things, that such Proceedings are *Tyrannick and Unjust*: and cannot but have ill Consequences, if ever these Nations are so unfortunate as to see 'em countenanc'd.

For *first*, every true Lover of the Constitution of his Country, will always be exceedingly cautious, how he either strains, or goes beyond or beside, the Law, in any Case, or upon any Pretence whatsoever; but especially, *in the Business of Punishment*: and

whenever he does so, he sets his Prince a dangerous Example, that may one Day be fatal to his own, and his Country's, Welfare.

Again: If ever such Proceedings are encourag'd, they will oftentimes *put it in the Power of the worst Men in the World, to ruin and oppress the best.* Because, 'tis impossible, that factious and discontented Men, can ever want a Pretence, to criminate the ablest Ministers, and the faithfullest Subjects, that have Employments worthy *their* Ambition, or stand in the Gap against their wicked Purposes. And that this is the Case of the leading Men in the Parliament of *Ireland*, with relation to the Church, is too notorious to need a Proof: Every Child cou'd tell you, long before the Resolutions of the Commons were pass'd against that Minister, how they had dispos'd of the principal Employments of the whole Kingdom: Insomuch, that if her Majesty had thought fit to have remov'd her Lord Chancellor upon their Address, *she wou'd have seen all her other Judges, as criminal as he, in a few Days, and others recommended in their Room.* But Thanks be to God, she remember'd Her Royal Grand-father's Misfortune, in the like Case, and shun'd his Fate; Neither wou'd she displace a faithful Minister, *that he might be succeeded by a Villain that cou'd drink to the pious Memory of his Murderer.*

The last thing that I shall observe in relation to these Resolutions, *is that astonishing Circumstance of Generosity and Good Nature, that appear'd in putting Mr. Henry Ingoldsbey, my Lord Chancellor's Son-in-Law, upon the Committee appointed to criminate his Father to her Majesty; and draw up an Address for his Remova'.* A Circumstance, that touches all the Softnesses of Humanity; and gives a Man a more perfect Notion of the Spirit of those Patriots, than a thousand Volumes of lesser Incidents: and cannot fail to impress upon every honest Soul, a true Idea of those Men, *whose tender Mercies are cruel.*

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But this Tenderneſs to the Chancellor, will never appear in its full Luſtre, till the Reader compares it with *that* which was ſhewn by the ſame Perſons to Mr. *Wall*, an Honourable Member of the Houſe already nam'd : who, when a Committee was appointed to enquire into the *Bribery and Forgery charg'd upon him*, was himſelf appointed one of the Number.

I know not after all theſe Inſtances of Humanity and Juſtice, whether I ought to take Notice of any Circumſtance of leſſer Conſideration ; ſuch as, the baſe unworthy perſonal Reflections upon the Lord Chancellor, by Mr. *Conolly*, Mr. *Broderick*, and his Son.

I have thought it a handſome Obſervation of a Gentleman, upon a Perſon exceedingly prone to Cenſure, and at the ſame time very obnoxious to it ; *'Tis a ſtrange thing*, ſays he, *that this Fellow, that wears a Glaſs Doublet, ſhou'd throw Stones at all Mankind* : The Reader will ſpare me the Trouble of Application. Has Mr. *Broderick* forgotten Grandſire the Collar-maker ? or has he forgot who run away at the Battle of *Rathmines* with the Duke of *Ormond's* Plate, and thereby rais'd a Family ? I wou'd not willingly be his Remembrancer : but I can aſſure him, the reſt of the World have not all ſuch treacherous Memories as he imagines.

As for Mr. *Conolly*, he has a better Pretence for abuſing other Men's Families ; becauſe he may do it, upon a Preſumption, that his own is ſo utterly unknown to the World, that they can never be even with him : all his Anceſtors, if he had any, (as many are confident that he had not) *being Homines nullius Nominis* ; but however, I adviſe him as a Friend, not to confide too much in the Advantage of his Obſcurity : becauſe, tho' the Father be forgotten, the Son is not. The Footman and the Sharper is in every Man's Mouth, tho' the poor Cottager ſleeps in Silence, without any other Monument to convey his Name down to Poſterity, than the Honour his Son did him, *in commanding him to hold his Stirrup*. An Honour

Honour, that ought never to be forgotten, to the Glory of the Christian Conolly, as long as the 5th Commandment is remembered; and will, without Question, render him as famous to Futurity, as the Daughter of *Tarquin* is at this Day, *for driving over her Father's Corpse*: but with this Difference, that an Honour done to a living Parent (however some chimerical Men may imagine otherwise) is, in Reality, *more Meritorious than one done to the dead*.

I could add a pretty long List of others; who, tho' they carry themselves with that Height and Arrogance, and value themselves so much upon their Families, are not able, with all their Ostentation, to hide their Origin. I can assure 'em 'tis well remember'd, *who came over common Soldiers, Drummers, Serjeants, &c. not very long since, and in what Company*. A full and particular Account of which, the World may perhaps be favoured with in a very little time.

It must be own'd there is this great Difference between the Chancellor and these Gentlemen, in this Respect: *Their Families were rais'd by Revolutions, and his, was reduc'd: Theirs, gain'd by Rebellion; and his, lost by Loyalty*. His Father, who was a Gentleman of King *Charles the First's* Court, and as much a *Papist* as his Son, *i. e.* a very strict Church-Man; by a tedious Imprisonment in *Windfor-Castle*, and many other Acts of Oppression, during the Course of a long and prosperous Usurpation, suffer'd very much in his Fortune; but always retained the Character of a Gentleman, and a Man of Honour. And after some time, it pleas'd God to reward his Virtue so well, that for many Years before his Death, he enjoyed and lived upon an Estate of about four hundred Pounds a Year; happy in the general good Esteem and Love of all that knew him, and bless'd with a numerous Issue, which were educated after the best Manner; to the Law, the Gown, and to Merchandize; and when he died, was lamented by the whole Country he lived in, and left a good Name behind

behind him ; which, 'tis to be feared, will never be remembered of those that laboured to vilify and oppress his Son.

I fear I have too long detain'd the Reader, from the Satisfaction he will find in the further Vindication of an innocent Man, against the Imputations of the Commons: and therefore, I hasten to inform him, that, the Lords observing the Nature and Tendency of these Proceedings, and finding, at the same time, that *their own Authority and Jurisdiction were so far contemn'd, that the Commons declined the Justice of their House*: Tho' they were at a Loss how to vindicate the Indignity done to themselves, as a Supreme Court of Judicature ; (before whom, according to the regular Course of Proceedings, the Crimes charg'd against the Chancellor ought to have been laid, and prov'd, and the Issue of that Charge determin'd.) Yet, they thought, they could not be so far wanting to that Duty they ow'd her Majesty, as not to enquire into the Conduct of her Minister : and return her a faithful Account of that Conduct. Accordingly, they ordered all the Papers and Proceedings relating to those two Facts, namely, The *Noli Prosequi* obtain'd for *Lloyd*, and the Speech delivered by the Lord Chancellor to the Lord Mayor and Aldermen, to be laid before them ; and then drew up an humble Representation of them to her Majesty, in the following Words.

The Humble Representation of the Lords Spiritual and Temporal in Parliament assembled.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

WE Your Majesty's most Dutiful and Loyal Subjects the Lords Spiritual and Temporal, in Parliament assembled, having daily Proofs of your Wisdom, Justice and Goodness to all your Subjects, humbly
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beg Leave to represent to your Majesty, that there having been several severe Reflections cast upon Sir Constantine Phipps, Lord High Chancellor of Ireland, on the occasion of a Prosecution against one Edward Lloyd; and some Directions given by his Lordship in Council to the Lord-Mayor and Aldermen of the City of Dublin, We thought it a Duty incumbent upon us, to make the strictest Enquiry into the Truth of these Accusations, and from the Entries in the Council-Books, and Paper-Office, to lay them before your Majesty in a clear Light.

The said Edward Lloyd did in the Month of September, 1712; publish in his News-Letter a Proposal, that he would print a Book, call'd, Memoirs of the Chevalier de St. George; and that he would take in Subscriptions for the same. The then Lords Justices and Council of this Kingdom, being informed thereof, immediately seized his Papers, whereby a stop was put to the Printing the Book: Not content with this, the Lords Justices, to shew their utmost Abhorrence of that Design, ordered a Prosecution forthwith against the said Lloyd; he was accordingly prosecuted, and a Bill of Indictment was found against him in your Majesty's Court of Queen's Bench, in which Indictment, the whole Seditious and Treasonable Libel was recited at large, from a London Impression of it. Upon this the said Lloyd withdrew into England, and neither rendered his Person nor found Bail to traverse the Indictment; but after he was gone, two sufficient Persons became Bail for him for that Purpose; and the said Lloyd afterwards petition'd the Duke of Ormond, then Lord Lieutenant of this Kingdom, setting forth, that he had no Evil Intention or Design in Publishing the said Book, for which he was Indicted; That his Poverty rendered him an Object of Mercy; that he had given Evidence of his Zeal for her Majesty's Service, by discovering a most infamous Libel against her Majesty; and that he would live without any Offence of that Kind for the future. His Grace the Duke of Ormond referred this Petition to the Lords Justices, and the Lords Justices in Council, referred it to
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the Attorney and Solicitor-General, who made a Report that the said Edward Lloyd, being no farther criminal than by intending to print and publish the said Book, and being in very low Circumstances, he might be an Object of her Majesty's Mercy. Upon this Report, the Lords Justices and Council (and not the Lords Justices or Chancellor only) wrote a Letter to the Duke of Ormond, of May 23, 1713. That being informed that the said Edward Lloyd had no evil Intention or Design in proposing to print the Book for which he was indicted, they were humbly of Opinion, that he was an Object of Mercy, and thereby recommended him to his Grace's Favour. His Grace, by his Letter of June 18, 1713, did thereupon require the Lords Justices to give Directions that a stop shou'd be put to any further Proceedings against him, upon the said Indictment; and the Lords Justices issued their Warrant for a Noli Prosequi accordingly, which put a stop to the Prosecution. This, may it please your Majesty, is a true State of the Fact relating to Edward Lloyd; and upon it, we beg Leave further to observe and represent to your Majesty our humble Opinion, That as the granting Noli Prosequi's is an undoubted Prerogative of the Crown, so the issuing one in this Case, was an Instance of your Majesty's Goodness and Compassion; and that the then Lords Justices, together with the Privy-Council, who represented the said Lloyd as an Object of your Majesty's Mercy, have not, in our Opinion, acted in this Matter contrary to their Duty, or the Protestant Interest of this Kingdom.

As to the Directions given by the Lord Chancellor in Council to the Lord Mayor and Aldermen of the City of Dublin, we beg Leave to observe unto your Majesty, that his Lordship then gave no other Directions to them, than what he receiv'd from your Majesty, or was instructed to give them by the Privy-Council. The Lord Chancellor, at the Desire of the House, laid before us a Copy of his Speech, taken from the Original, he having reduced it into writing before he spoke it to the Lord

Mayor and Aldermen in Council, the 16th of Jan. 1712, and, for our Satisfaction, several Lords of the Council, who were present when those Directions were given, did fully attest, that the Copy produced to us did agree, to the best of their Remembrance, with what he had deliver'd in Council, which is as follows.

My Lord Mayor and Gentlemen,

WE send for you by her Majesty's Special Command; 'tis to let you know that Her Majesty takes Notice, That there are many scandalous and seditious Libels and Pamphlets daily dispersed in this City: And therefore her Majesty commands your Lordship, the Aldermen and the other Magistrates, to use your utmost Endeavours to suppress and prevent such seditious Libels, and to cause the Authors and Publishers of 'em to be apprehended. We are very well assured of your Lordship's Loyalty to Her Majesty, and of your Zeal for her Service; and therefore don't in the least doubt the Performance of your Duty in this or any other Respect. You are likewise directed by her Majesty, to enquire into the Fomenters of the late Disorders in this City.

Your Lordship remembers the great Riot committed in the Play-House on his late Majesty's Birth-day; a Day that we shall be as ready as any Persons in the World to celebrate with all the Respect and Honour due to the Memory of that Great Prince.

But when Things are come to that pass, that Gentlemen think the best way to commemorate his late Majesty, is by affronting Her present Majesty, and insulting her Authority;

When Gentlemen (whose Education shou'd teach 'em better) shall take upon 'em, in Defiance of Authority, to speak a Prologue which has been forbid by the Government two Years successively;

' a Prologue that sounds an Alarm, and invites Her
 ' Majesty's Subjects to make War against those with
 ' whom Her Majesty thinks fit to make Peace, and
 ' to take up Arms to drive the King of *Spain* out of
 ' those Dominions, which Her Majesty by her Arti-
 ' cles of Peace has stipulated he shall enjoy ; I say,
 ' when Gentlemen carry things to this Height, 'tis
 ' time for the Government to exert themselves in
 ' Defence of her Majesty's Authority : For what is
 ' this, but to rob her Majesty of that Part of Her
 ' Prerogative which was always allowed Her by the
 ' worst of Her Enemies, the Power of making Peace
 ' and War? This was an Offence of that Magnitude,
 ' that we thought it our Duty to lay it before the
 ' Queen ; and tho' Her Majesty is greatly offended
 ' at it, yet she is pleased in Judgment to remember
 ' Mercy, and hath commanded us to single out the
 ' most flagrant Offender, and to prosecute him with
 ' the utmost Severity of the Law, but is graciously
 ' pleased to discharge the rest from any further Pro-
 ' secution. We shall be sure to pay Obedience to
 ' Her Majesty's Command, and we hope that in this,
 ' and all other Cases, where her Majesty is concern'd,
 ' the Sheriffs will take care to return Understanding
 ' Juries, that know their Duty, and the Obligation
 ' of an Oath, Men of such Integrity and Loyalty,
 ' as will take care her Majesty has equal Justice with
 ' her Subjects, and that is all is desir'd. And 'tis to
 ' be hoped, it will not seem hard, that Her Majesty
 ' shou'd expect Justice from a City which partakes so
 ' liberally of Her Bounty.

' There is another Thing which we recommend
 ' to you, which is, preventing publick Mass being
 ' said contrary to Law, by Priests not registered, or
 ' are otherwise disabled from Officiating. We have
 ' more than ordinary Reason to press this, because
 ' we suffer by your Neglect.

‘ The Country generally make the City their Pat-
 ‘ tern, and after your Example become negligent
 ‘ of their Duty in this respect; for being ask’d, why
 ‘ they permit publick Mafs to be said? Their Answer
 ‘ is, ’tis done in *Dublin*, and, as we are informed,
 ‘ by the Approbation of the Government, for else it
 ‘ wou’d not be done; and why shou’d we be more
 ‘ Officious than others? There are very good Laws
 ‘ made to prevent this, and we have issued a Pro-
 ‘ clamation for the due Execution of those Laws,
 ‘ and have charged it in the most pressing Terms
 ‘ we cou’d; and now we recommend it to you again,
 ‘ that if there be any Neglect of this Kind for the
 ‘ future, the People may know at whose Door to
 ‘ lay it.

‘ Your Majesty in your Royal Wisdom will judge
 ‘ how reasonable and equal it was, to desire that
 ‘ the same Justice, which the meanest of your Sub-
 ‘ jects enjoy, should be extended to such Cases, in
 ‘ which the Honour and Safety of your Government
 ‘ are concerned.

‘ We have lately presumed to address your Ma-
 ‘ jesty, on the Occasion of a malicious and villainous
 ‘ Aspersion on the Lord Chancellor. And we are
 ‘ strengthened in our Opinion of his Lordship’s having
 ‘ acquitted himself with Honour and Integrity,
 ‘ from the further Enquiries we have since made.

‘ We do faithfully assure your Majesty, that no-
 ‘ thing shall ever divert us from proceeding with Un-
 ‘ nimity and Temper in the Dispatch of the pub-
 ‘ lick Business, and in establishing the Peace of this
 ‘ Kingdom, by discountenancing the restless Ende-
 ‘ vours of those factious Spirits, who attempt to sow
 ‘ Jealousies and raise groundless Fears in the Minds
 ‘ of your Majesty’s People.’

The Reader will observe from this *Representation*,
 the Vigilance of those excellent Ministers, in hinder-
 ing the Printing and Publishing of that Libel. He
 will

will also observe, that a Prosecution at Law was immediately directed against him that intended to publish it: a Prosecution, as I before observ'd, of so expensive a Nature, that the very Copy of his Indictment amounted to more than he was worth in the World; upon which, he was oblig'd to fly into *England*; where he obtain'd the Lord Lieutenant's Letter to the Lords Justices, referring his Case to their Consideration. The Reader will consider after that, the cautious and regular Steps, whereby he was admitted to Mercy: Doubtless he will also reflect with great Pleasure upon the Equity and Candour of those Patriots, who make the Chancellor alone answerable for an Act of both the Lords Justices and Council. Perhaps too he may think it worth his while to take Notice, that tho' *Lloyd* was prosecuted to an Outlawry, as appear'd upon Evidence before the Committee appointed to enquire into what Prosecution was had against him; yet that worthy Body, as a further Demonstration of their Integrity, thought fit to drop that Circumstance in their Report.

But before I dismiss this Head, I think my self oblig'd, for the Satisfaction of all true Lovers of the Constitution of their Country, to enter into a close Disquisition upon this Conduct of the Commons: and disclose to the World, as far as I am able, the Reasons, *why they declin'd the Justice of the Right Honourable the House of Lords.*

First then, either the Commons believ'd the Lord Chancellor a Criminal, or they did not. If they did not believe him a Criminal, every one will conclude, that their Treatment of him was the most injurious that can be imagin'd; and ought to be for ever odious in the Eyes of all honest and good Men.

If they did believe him a Criminal, why did they decline the regular and legal Course of bringing him to Justice? Now this Course is two-fold; either a Prosecution at Law, or an Impeachment before the Lords.

There

There can be no Reason why they shou'd decline the first of these Courses; since there is no Doubt, but they might have had him try'd by a Jury after their own Hearts Desire. So that there they are without Excuse; and as to the other Course, no Reason can be assign'd, why they declin'd *that*, unless it be, *that they apprehended that House wou'd acquit and pronounce him Innocent, tho' they made it appear he was Guilty*: and this is such an odious Supposition, that, as it reflects the highest Calumny and Indignity upon that *August* Body, so, I shou'd be loth to charge any Members of the Honourable House of Commons with so unworthy a Perswasion.

But, in Answer to this, some of their Friends soften the Supposition; and tell us, that the House of Lords had already declar'd their Opinion of his Lordship's Integrity, in their Address to the Queen, on Occasion of some Reflections thrown upon him by one *Nuttal*.

But this Objection is as easily cast down as rais'd; if we consider that the Lords, upon that Occasion, *only declared their Opinion of his Lordship's Conduct, as far, as it had then appeared to them*; and therefore, surely it left them entirely free to censure any part of it, not yet criminated before them: so that this Argument falls to the Ground; and, in Truth, is only a Pretence, *since* assum'd, to salve an irregular Conduct: forasmuch, it is well known that the Commons had declared long before this time, *that they would not impeach his Lordship; but would be content, with passing some smart Votes* (as they called it) *upon him, in order to have him turned out*.

Here then is the Point upon which we are to ground our Enquiry; and the Question that naturally arises from it, is, *what was the Reason of proceeding in this Manner?* The Answer is very obvious; *they were resolved to bring her Majesty under this Dilemma, either she must remove her Minister upon their Application, or she must expect no Money*. This they all along openly avow'd; and their Conduct, *since* that, has

has confirmed their Declarations in that Point. Forasmuch as 'tis well known, that his Grace the Duke of *Shrewsbury* has founded all the Leading Men of the Party, to no other End, than, *to have it in his Power to assure her Majesty, that they are firm to their Purpose, of not satisfying the Necessities of the Government, unless upon their own Terms.*

Now then give me Leave a little to discuss this Conduct, to shew the Tendency of it, and place it in a true Light.

And in order to do this effectually, I shall only desire my Reader seriously to consider these three Things;

- 1st. The Justice of it,
- 2^d. The Duty,
- 3^d. The Consequences.

As to the first of these, I have already spoken pretty fully to the Point; having shewn, *that it is utterly inconsistent with, and fundamentally destructive of, the Rights of the Subject, to be condemn'd to any Loss or Damage whatsoever, either unheard, or by illegal Judges: and in a Manner beside, and against, the regular Course of Justice.* And therefore I shall only add in this Place to what we before observ'd, that, *there is a very strong Presumption against the Commons in the present Case, that they themselves distrusted the Merits of their Cause: when they did not put it upon a Foot of Law and Justice, but upon a Foot of Necessity.* Either remove the Lord Chancellor, or expect no Supply.

The same Argument bespeaks the Duty of this Conduct, no less than the Justice of it. For the Reader must not imagine that ever they had it in their Thoughts to submit this Matter to Her Majesty, and allow her to judge of the Merit or Demerit of her Minister's Conduct, and to determine upon her own Judgment as she thought fit. No; this were a Strain of very low and needless Complaisance: and therefore, these *Dutiful and Loyal Subjects*, are no longer ashamed to speak out: and tell her Majesty by her
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Lord Lieutenant, in plain Terms, *Madam, take your Choice : Either do this, or depend upon't we won't do t'other. Either do you, what we take to be your Duty : or, assure your Self, we won't do, what you take to be Ours.*

The Consequences and Tendency of this Conduct have been already touch'd : and the Reader cannot but own, that they are equally dangerous to the Rights of the People, and the Prerogative of the Crown. For, as on the one Hand, *factious and discontented Subjects will never want a Pretence to criminate the best and ablest Ministers ; if the Sovereign's being compell'd to a Compliance by the Subject, can once be drawn into Precedent : So, on the other Hand, an irregular and illegal Proceeding in the People, against their Fellow Subjects, sets the Prince a dangerous Example. Which 'tis to be fear'd, at one time or other, some Sovereigns wou'd be too ready to imitate, and every one too well apprehends the Consequence of such Imitation.*

But there is one Observation, that naturally suggests it self to the Mind, when we reflect upon these Men's obstinately refusing to supply the Necessities of the Government, unless upon their own Terms : and such, as if seriously consider'd, must surely alarm all that are indeed concern'd for the Welfare of the Protestant Interest of this Kingdom : and, if they are capable of Conviction, cannot but open their Eyes ; and convince 'em of the gross Delusion that have been impos'd upon 'em by wicked and designing Men.

And that is, *that the World may now judge how real these Men's Fears of the Pretender are, who if not gratified to their own Hearts Desire, will lay the Queen under a Necessity of Disbanding a considerable part of the Irish Forces : and so leave the Kingdom naked and defenceless ; and ready prepar'd for an Invasion. So that, either these Fears are fictitious and pretended ; And then, they*

they are unpardonable for disturbing the Peace of the Nation with their restless Clamours : Or if they are *real*, and that they are indeed perswaded, this Kingdom is in danger of an Invasion from the *Pretender* ; every one must own, that they are his best Friends, who prepare his Way. We may add to this Consideration, the great Care and Concern of those Men for the Protestant Interest ; also, the sincere Affection they must needs have for the Welfare of their Country, when they can so easily sacrifice both to a Picque.

Any Man, that can from this Hour believe the Cant and Clamour of these Men about *Popery*, the *Pretender*, the *Protestant Interest*, and the *Love of their Country*, after this signal Proof of their Sincerity, has Faith enough to swallow the Absurdities of Transubstantiation the next Moment, and need not be concerned how soon *Popery* succeeds the *Establish'd Church*.

But after all that has been observ'd upon these Resolutions of the honourable House, there are perhaps some Points relating to, and arising from, them, which the Reader will not so fully comprehend, without the Assistance of their own Comment upon them, and therefore I shall make bold to present him with a faithful Copy of that elaborate Performance.

To the Queen's Most Excellent Majesty.

The humble Address of the Knights, Citizens and Burgeses in Parliament Assembled.

Most Gracious Sovereign,

‘ With the greatest Humility and utmost Concern,
 ‘ your Majesty’s most Loyal Subjects, the Commons
 ‘ of *Ireland*, are constrain’d to lay before your Ma-
 ‘ jesty the Hardships and Oppressions this your King-
 ‘ dom groans under, thro’ the evil Administration

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of

‘ of Sir *Constantine Phipps* now Lord High Chancellor thereof.

‘ Notwithstanding the Safety of the Protestant Interest of this Kingdom, does next under God and your Majesty, entirely depend upon their Unanimity, the Distinction of Parties has (since the said Lord Chancellor came into the Kingdom,) been so far fomented, that much the greater part of your Majesty’s most Loyal Protestant Subjects who glory in nothing more than in being true Sons of the Church of *Ireland*, as by Law establish’d, Zealously and Dutifully Affected to your Majesty’s Person and Government, and firmly adhering to the Protestant Succession in the illustrious House of *Hanover*, have been most injuriously traduc’d and misrepresented, as Enemies to your Sacred Person, and the Establish’d Church of this Nation ; and thereby expos’d to the Insults of Papists, and others of the vilest Part of the People. Among the many Seditious and Treasonable Libels, calculated to perswade your Majesty’s Subjects, that the Pretender has an undoubted Right to the Crown, which your Majesty most justly wears with the greatest Glory, which have of late been dispers’d throughout this Kingdom ;

‘ We beg Leave particularly to acquaint your Majesty, that a Seditious and Treasonable Libel, entitul’d *Memoirs of the Chevalier de St. George*: The design of which, is to impeach your Majesty’s Title to the Crown, and the Succession to the same in the Illustrious House of *Hanover*; has been lately publish’d in the City of *Dublin*, and Proposals for Re-printing the same have been dispers’d throughout the Kingdom, by *Edward Lloyd* News-Writer. Notwithstanding the dangerous Tendency of which Libel, and that the said *Edward Lloyd* is a Person most infamous for daily Publishing false and scandalous Libels, and sowing Sedition in this Kingdom, the Prosecution of him has
‘ been

' been notoriously faint and remiss; to the great Encouragement of the Papists, and others of the Pretender's Friends in this Kingdom. And your Majesty's faithful Commons crave Leave to offer to your Majesty as their humble Opinion, that the said Lord Chancellor, having represented the said *Edward Lloyd* as an Object of Mercy, and as one that had no evil Design in Publishing the same, with intent to obtain a *Noli Prosequi* on the Indictment against him, has therein acted contrary to his Duty, and the Protestant Interest of this Kingdom: And we further take Leave humbly to inform your Majesty, that while a Prosecution was depending in your Court of Queen's-Bench, against *Dudly Moore*, Esq; and several other Gentlemen for a supposed Riot; the said Lord Chancellor on the 10th day of January 1712, being then one of the Lords-Justices of this Kingdom, in a Speech made by him to the Lord Mayor, and Aldermen of the City of *Dublin*, did take upon him, by declaring his Opinion thereon, to pre-judge the Merit of the said Cause then depending, and to inflame and prepossess the Minds of the Aldermen, some of whom are constantly returned on Juries in all Criminal Causes of Importance in that City; which we humbly apprehend to be a Precedent of the most dangerous Consequence to the Lives, Liberties, and Properties of your Majesty's Subjects of this Kingdom.

' Your dutiful and faithful Commons do therefore, with the utmost Submission, humbly beseech your sacred Majesty, for the Peace and Safety of your Majesty's Protestant Subjects of this Kingdom, to remove the Right Honourable Sir *Constantine Phipps*, Kt. from his Place of Lord High Chancellor of *Ireland*; and we beseech your Majesty to believe, that this our humble Application proceeds from no other Motive than a deep and just Sense of our Duty to Your Majesty and our

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' Country :

Country : And we beg Leave on this Occasion, to repeat our Assurances and steady Resolutions, to the utmost of our Power, to support Your Majesty's most undoubted Title to the Crown of this Realm, against all your Enemies, either at Home or Abroad ; and that as we have already passed a Bill for granting an Aid to Your Majesty, so it is our firm Purpose to give such further Supplies as shall be necessary to support Your Majesty's Establishment and Government of this your Kingdom with Honour.

Upon the first Paragraph of this Address, these things are Observable.

1st. The great Humility of these Loyal and Dutiful Subjects, in dictating to her Majesty to remove her Minister.

2dly. The deep Concern here express'd, (which no doubt on't was very sincere) how to persuade her Majesty to turn off a Servant, whom she knew to be so Honest and Faithful to her : *A Concern which, 'tis to be fear'd, is not much lessen'd by their not being able to effect it.*

And 3dly. The Hardships and Oppressions they tell us that Kingdom groan'd under thro' the Evil Administration of Sir *Constantine Phipps* : A most dreadful and heavy Charge ! Fully made out in the momentous Particulars annex'd, *the recommending a Person to Her Majesty's Mercy ; and desiring she may have equal Justice with her Subjects.* Oppressions of a very amazing and new Nature.

In the next Place, I readily agree with the Compilers of the 2d Paragraph, that, *the Safety of the Protestant Interest of this Kingdom, does, under God and Her Majesty, entirely depend upon their Unanimity ;* and therefore, I heartily wish all those had their Deserts, who, for five and twenty Years last past, have labour'd to make and foment Divisions among her Majesty's

Majesty's Protestant Subjects; (*especially those of the Establish'd Church,*) whose Names and Places of Abode, I dare undertake at any time to declare to the World at half a Minute's Warning: And would this Moment, if I imagin'd it could be Information to any Man of common Understanding in this Kingdom. To go no higher than my Lord *Wharton's* Government, were there no Divisions among Protestants at that Time? and who fomented 'em? 'tis impossible any Man can be so ignorant as not to know: And therefore, I beg Leave to be of humble Opinion with the Inhabitants of a certain large Shire in the South of Her Majesty's Kingdom of *Ireland*, (who are very well acquainted with the principal Author of those Divisions,) that Sir *Constantine Phipps* has not any Way contributed to destroy the Unanimity of Her Majesty's Protestant Subjects of that Kingdom. I beg Leave to quote their Sense at large, from the *London Gazette*, Numb. 5202.

To the QUEEN's most Sacred Majesty.

The Humble Address of the High Sheriff, the Justices of the Peace, Grand Jury, and Gentlemen of the County of CORK, at a General Quarter Sessions, held for the said County, at *Bandon Bridge*, on Tuesday the 12th of January, 1713.

Dread Sovereign,

WE Your Majesty's most Dutiful and Loyal Subjects of this County, most humbly beg Leave to approach Your Royal Person, and to congratulate You on the safe and honourable Peace, which Your Majesty's unwearied Endeavours have obtain'd for the Relief and Comfort of your People.

We can't but with Grief and great Concern take Notice that the unhappy fatal Divisions, which reign'd and were fomented some Years past, do yet continue in this Kingdom: Notwithstanding the indefatigable Zeal and Application

Application of the Right Hon. Sir Constantine Phipps, Lord High Chancellor of Ireland, and your other excellent Ministers, to the contrary.

We can't but join, with great Satisfaction, your Majesty's most loyal Lords in Parliament, and your faithful Clergy in Convocation assembled, in their dutiful and humble Request, to continue Your Royal Countenance and Favour to that great Minister, whose impartial Justice, consummate Abilities, and unbiassed Affection, to the Constitution in Church and State, are equal to those great Trusts, in which Your Majesty's unerring Wisdom for the Safety and Honour of Your Majesty's Interest, and the common Good of your People, have placed him, &c.

What the Sense of the House of Lords and Convocation, here referred to, was of his Lordship's Administration, I shall take Occasion to mention by and by. In the mean Time, I desire to take Notice, that the Lord Chancellor's Way of endeavouring to bring Protestants to Union, was not, as some People would have him, by *relaxing from the strictest Adherence to our Constitution in Church and State*: but by *observing the Laws himself, and enforcing a due Obedience to them in others.*

In the next Place, I desire to observe, that by these Words, *this your Majesty's Kingdom*, are meant the 136 Addressers, exclusive of the 112 that were against it: Exclusive of the House of Lords, and of the Convocation to a Man: In a Word, I desire to observe, that the *whole Church Interest* is excluded by these Words, as being no Part of Her Majesty's Kingdom of *Ireland*. And 'tis agreed, that in all Probability they had indeed been *no Part*, or at best a *very small one*, by this Time, had not the Duke of Ormond and the Lord Chancellor come timely to their Relief. But at present, I must say they are so considerable a Part of it, that I can by no Means join with those honourable Addressers in styling 136 Worthies *the much greater Part of Her Majesty's Protestant*

testant Subjects of that Kingdom. Nay I own, 'tis not less surprizing that they should stile themselves *the most loyal Part of Her Majesty's Protestant Subjects:* Because then we must be obliged to own the 112, the Lords and Convocation above mentioned, to be the *less loyal:* And forasmuch as their Practice is directly contrary to that of the 136, we must likewise conclude *their Principles* to be so too: Now what those Principles are, that are contrary to the Principles of the established Church, is pretty well known, namely *Fanatical, Republican, and Rebellious,* and consequently, the *most loyal* must be the Abettors and Assertors of those Principles: The true Friends of the *good old Cause*, the worthy Descendants of *Oliver*, whose Fathers fought against the Crown, and destroyed the Church, and *their Posterity praise their Saying.* Thus you understand what some Men mean, when *they glory in Nothing more than in being the true Sons of the Church of Ireland, as by Law established; zealously and dutifully affected to Her Majesty's Person and Government; and firmly adhering to the Protestant Succession in the illustrious House of Hanover.* And how industriously they are traduced and misrepresented, when regarded as *Enemies to her Majesty's sacred Person, and the established Church of this Nation.*

Thus much for the Preamble of this humble Address: Now let us see, what it is these dutiful and loyal Subjects desire: Why, truly, with *good Reason and great Consistency*, they humbly beseech Her Majesty to remove *Sir Constantine Phipps*, Knight, from his Place of Lord Chancellor, because they did not like his Behaviour as Lord Justice: They owned indeed he was a good Chancellor, but nevertheless he ought not to sit upon the Bench, because he had misbehaved as Lord Justice and Privy-Counsellor: A plain Demonstration, that *this their humble Application proceeded from no other*
Motive

Motive than a deep and just Sense of their Duty to Her Majesty and their Country.

To conclude all, *they beg Leave on this Occasion to repeat their Assurance and steady Resolution, to the utmost of their Power, to support Her Majesty's most undoubted Title to the Crown of these Realms, against all her Enemies either at Home or Abroad; and that as they had already passed a Bill for granting an Aid to Her Majesty; so it was their firm Purpose, to give such further Supplies as should be necessary to support Her Majesty's Establishment and Government with Honour.*

After many profound Reflexions upon this Paragraph, and as many successless Endeavours of reconciling these repeated Professions of supplying the Necessities of Her Majesty's Government, with the *sincere Assurances since given by the same Persons to the contrary*: I at last began to believe, there must be some Mistake in the Manuscript, which was the Foundation of this seeming Inconsistency; and which, when corrected, would happily restore the Meaning of these worthy Patriots, and free them from the gross Imputation of *having broken their most solemn Promises to her Majesty*. In pursuance of this Conjecture, upon comparing their Professions with their Proceedings, I soon concluded the Compilers of this Address to be of the Number of those *whose Obedience is conditional*; and who are always loyal upon their own Terms: And (as it was very natural) it came into my Mind, that the Repetition of their Promises and Assurances *at this Time*, might probably have some Relation to the Matter in Hand: When I found they were determined not to make good any of these Assurances, unless her Majesty would remove her Chancellor, I was confirmed in the Conjecture. My next Labour was to search out the Error of the Manuscript, and restore the true Reading; which, after much Meditation, I flatter myself I have at Length effected with great Felicity; so as to hit the true Intent of the Paragraph, and make

make the Conduct of those Patriots consistent with itself.

I desire therefore, that, for *this Occasion*, you would read *this Condition*, and so the Paragraph will be all of a Piece, and true to a Tittle; and will stand thus :

And *We beg Leave on THIS CONDITION* (i. e. if you will remove the Lord Chancellor) *to repeat our Assurances and steady Resolution to the utmost of our Power, to support your Majesty's most undoubted Title to the Crown of these Realms, against all your Enemies either at Home or Abroad.*

And, *UPON THIS CONDITION*, as we have already passed a Bill for granting an Aid to your Majesty, so it is our firm Purpose to give such further Supplies as shall be necessary to support your Majesty's Establishment and Government with Honour.

Two Conditions plainly expressed; and a *Third* as plainly implied, which is this; *But if you do not remove the Lord Chancellor, depend upon't, we won't give you one Farthing.*

It is now high Time to resume the Thread of this important History, and pursue the Proceedings of these worthy Patriots in Order.

The Commons had no sooner passed the Resolutions above-mentioned against the Chancellor; but they read and passed the little Bill the next Day, and sent it to the House of Lords: and 'tis remarkable enough, that on the same Day, *Robert Dixon*, Esq; an honourable Member, one of the Lord Chancellor's most violent Enemies, finding that their Work was done, and that they needed no more Strength, desired Leave to withdraw his Petition, complaining of the undue Election and Return of two honest *Tory* Members—and Leave was given accordingly. The same Day also 'twas ordered, that such Members of the House, as were of her Majesty's Privy Council, should attend his Grace the Lord Lieutenant, humbly to desire, that he would be pleased to order the Clerk of the Council to lay be-

fore that House the Representation of the Council Board, in Relation to the Election of Magistrates for the City of *Dublin* : The Opinion of the Attorney-General of *England* thereupon : The Opinion of the Judges in Relation to the Election of Magistrates for the said City ; and all the Papers and Proceedings relating to the said Election of Magistrates for the said City. And though it was urged, that the State of the City of *Dublin* was under the Consideration of her Majesty, and the most honourable Privy Council of *Great-Britain*, and that it would be more agreeable to the Duty they owed Her Majesty, to wait for her Determination ; and moreover, that it was not to be expected, the Lord Lieutenant could lay those Papers and Opinions before them without Her Majesty's Leave, yet all to no Purpose.

These Suggestions had no Weight with the House, to dissuade or deter them from their fixed Purpose. They were resolved to enquire and determine concerning the Election of Magistrates of that City ; and if they could not have the Advantage of having all the Papers and Proceedings relating to it, laid before them, *they would determine without that Advantage*. And indeed they had Reason ; for how did they need Papers and Opinions, as long as a worthy Member of their own House, Mr. Recorder of the City, a *Man of known Integrity*, was able, of his own *Sufficiency*, to supply them with all the Information they needed ; and might be to them in the Place of a thousand Volumes upon that Subject. But however, it being somewhat late that Night, which was *Saturday*, and the more urgent Business of the Address to remove the Lord Chancellor calling upon them, they adjourned the Consideration of the State of the City of *Dublin*, to *Monday Morning*, at Nine of the Clock.

On *Monday*, Sir *John Stanley* presented to the House, from his Grace the Lord Lieutenant, Her Majesty's Answer to their Address, which was in the following Words:

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Her Majesty thanks them for their Congratulations on that safe and honourable Peace, with which it has pleased God to bless these Nations. The best Way of preserving their religious and civil Rights, and of securing the Protestant Succession, as well as the best Proof they can give of their real Concern for them, is to proceed with Unanimity and Temper, in supplying the necessary Occasions of the Government, and in establishing Peace at Home; by discountenancing the restless Endeavours of those factious Spirits, who attempt to sow Jealousies, and to raise groundless Fears in the Minds of Her Majesty's People.

The Reader will observe, how happily this excellent Answer is fitted to repress that Spirit of Faction and Violence, which her Majesty too well discovered in their Councils. And I am sorry to tell him, that it produced no other Effect, than to engage them to return their Acknowledgments to Her Majesty for it in a Writing, which may with much more Justice be stiled a Remonstrance than an Address: I am concerned, I can't oblige the World with a Copy of it, in a little Time, perhaps, they may expect that Happiness.

After this, they proceeded upon the Consideration of the State of the City of *Dublin*, and particularly in Relation to the Magistracy thereof; and several Witnesses being examined, and after that *Martin Tucker*, Esq; they adjourned the further Consideration of it to the next Day.

The next Day, Sir *John Stanley* farther reported, from the Committee appointed to attend his Grace the Lord Lieutenant; that his Grace having farther considered of the Message from this House, had commanded him to acquaint this House, that as to the Representation of the Council Board, in Relation to the Election of Magistrates of the City of *Dublin*, the Opinion of the Attorney-General of *England*, and the Opinion of the Judges thereupon, being now before her Majesty, his Grace could not order

them to be laid before this House, till he had first acquainted her Majesty thereof: But for all other Papers and Proceedings relating thereto, which are now before the House of Peers, his Grace was satisfied that this House should have Copies thereof.

I imagine, it will be a little surprizing to see a *further Report* of an Answer, upon *further Consideration*, in Relation to the Message last mentioned, without one Word said of a *former Report* or of a *former Answer* from his Grace; but I presume, the honourable House thought what they have committed, was not fit to be published to the World, for Reasons best known to themselves; and therefore they have only printed one Part of his Grace's Answer to their Message.

The same Day, they proceeded to the further Consideration of the City of *Dublin*, and without any Assistance from any of the Papers mentioned in his Grace's Message, (which, for Reasons already urged, they could not need) they came to many Resolutions in Relation to it, which being of a very extraordinary Nature, and opening a new and wide Scene of Controversy, require a more enlarged and particular Examination, than the Compass of this History will allow; and will I hope be soon discussed at large, and exposed to the World in a true Light, by a much abler Pen: However, in the mean Time, that the Reader may not be entirely at a Loss, in an Affair that has made so much Noise; I shall endeavour, in a few Words, to give him some Satisfaction in Relation to these remarkable Votes, which are as follows.

Resolv'd, That for some Years past there hath been a Design form'd and carry'd on, to subvert the Constitution and alter the Government of the City of *Dublin*.

Resolv'd, That in order to carry on that Design, a corrupt and illegal Attempt was made in the Year 1711, to corrupt Alderman *Ralph Gore*, then Lord Mayor, by offering him a Bribe of Five hundred Pounds,

Pounds, to name thirty two Persons mark'd in a List, then deliver'd to him by *Martin Tucker*, Esq; Sub-Collector of the Port of *Dublin*, to be Common-Council Men for the said City.

Resolv'd, That it appears on the Examination of *Martin Tucker*, Esq; that he was sent to offer the said Sum of Five Hundred Pounds to Alderman *Ralph Gore*, while the Right Honourable Sir *Constantine Phipps* Kt. Lord High Chancellor of *Ireland*, and Lieutenant General *Ingoldsbys*, were Justices of this Kingdom.

The Truth of all this alledg'd Corruption, and intended Subversion of the Constitution of the City of *Dublin*, is this: When Alderman *Gore* was elected Lord Mayor, the Government were inform'd, that he was a Loyal Citizen, well affected to Her Majesty's Person and Government; and that he would give good Proofs of both throughout the whole course of his Office: Upon these Informations he was approv'd: I hope the Reader can't be offended at the Vigilance of Her Majesty's Governors, and Privy-Council, in this Point; and their Caution in admitting no Persons into so considerable a Trust, as the Mayoralty of that City, without good Assurances of their Fidelity and Affection to her Majesty.

It happen'd that the Election of Common Council fell out upon this Year: And General *Ingoldsbys* (one of the then Lords Justices,) being inform'd that Alderman *Gore* (then Lord Mayor,) design'd to strike a Common Council of the most inveterate and most disaffected Persons within the Verge of the City, (which in truth he did, all factious and many Sectarists of several sorts,) sent Mr. *Tucker* to him to know why he would disappoint and act contrary to the Assurances that were given the Government concerning him? He answer'd, that if he did not strike such a Common Council as the City wou'd have him strike, he should lose three hundred Pounds, the usual Gratuity given the Mayors by the City, which they cou'd with-hold at Will.

Upon

Upon this, General *Ingoldby* desir'd Mr. *Tucker* to let his Lordship know from him, that if he wou'd strike such a Common Council as were well affected to her Majesty and the Constitution, Care should be taken that, if the City with-held their usual Bounty, it should be made up to him another Way, or Words to that Purpose.

And now supposing the Lord Chancellor, who was a Stranger to all this Proceeding, had been privy to it, I would gladly know, where is the great Crime of this Conduct? or, how a Governor could justly be censur'd for doing, what if he had neglected, he had been wanting to his Duty upon many Accounts? For to say nothing of that Obligation that lies upon all Ministers, to endeavour to promote such Persons to Offices of Trust, as they are assur'd to be true Friends to the Constitution, and will best consult the Peace and Welfare of their Sovereign's Government; and to remove factious and seditious Persons from such Employments; let me ask any reasonable Man, how it could be consistent with common Justice, to suffer any Person to be a Loser by his Loyalty and Regard to Her Majesty? And what more was attempted in the present Case, than to encourage a Citizen to the Discharge of his Duty, by Assurances that he shou'd not be a Sufferer for so doing.

That Gentleman's Zeal for the Welfare of his Country, and the Protestant Interest, was so well known, that no body cou'd suspect that *he* wou'd recommend, to any Office or Place of Trust, Persons whose Affection to either cou'd be the least suspected.

But because it was well known that these Resolutions were design'd to asperse the Lord Chancellor; and to add to the Heap of that Calumny they labour'd to throw upon him, it being always insinuated, that *he* was the Author and Contriver of this Design; the Lords were resolv'd to sift the Matter to the Bottom, and know the Truth of those Suggestions: Accordingly they examin'd Mr. *Tucker*, and
Alderman

Alderman Gore, and caus'd their Examinations to be printed, which are as follows.

Die Mercurij 23. Decembris, 1713.

By the Right Honourable the Lords Spiritual and Temporal in Parliament Assembled.

THE Examination of Alderman Ralph Gore, of the City of Dublin, taken before the Right Honourable the Lord Viscount Mountjoy, and the Right Reverend the Lord Bishop of Limerick, being a Committee appointed by the Lords House, on the Three and Twentieth day of December 1713. as far as it relates to Sir Constantine Phipps, Knight, Lord High Chancellor of Ireland.

Who being duly sworn on the Holy Evangelists, and examined upon Oath, saith, that in the Year 1711, when the Examinant was Lord Mayor of the City of Dublin, one Market Day in the Morning he call'd at Martin Tucker, Esq's; House in the said City, who told this Deponent, that he heard the City intended the Deponent Three Hundred Pounds, and that there were Five Hundred Pounds, otherwise intended him, or Words to that Effect.

And being further ask'd, Whether Mr. Tucker told this Deponent, that my Lord Chancellor employed him to offer the said Sum of Five Hundred Pounds, or any other Sum, the Deponent saith, he did not.

And being further ask'd, Whether my Lord Chancellor by himself, or any other Person whatsoever, did directly or indirectly offer any Sum of Money to this Deponent, saith, he did not.

And being further ask'd, Whether my Lord Chancellor sent this Deponent any List, or Lists, of Common Council-men to be chosen, this Deponent saith, he never did.

And being further ask'd, Whether the Deponent had any Conversation with the Lord Chancellor, or any Person or Persons deputed by him, relating to that Matter, the Deponent absolutely says, he had not.

The Evidence of Martin Tucker, Esq, taken at the Bar of this Most Honourable House, the Twenty Second of December 1713, as far as relates to Sir Constantine Phipps, Knight, Lord High Chancellor of Ireland.

Who

Who being duly sworn on the Holy Evangelists, and examined upon Oath, says, That the Lord Chancellor never spoke to him on that Subject, directly or indirectly, nor did he offer any Money.

Deposeth, That he believes, that the Lord Chancellor had no Hand in, or Knowledge of, the said Offer of this Examinant to Mr. Gore.

Says, He never had any Discourse with the Lord Chancellor about the List, and that directly or indirectly, in the whole Course of his Life, he had not any Discourse with the Lord Chancellor about framing the said Common Council, or giving the said Five Hundred Pounds or the said List, or any Thing relating thereto.

Denies, That ever the Lord Chancellor had any Hand directly, or indirectly, in the Matter, nor did he desire the Examinant to speak to the said Alderman; and verily believes, that the said Lord Chancellor never had any Hand in the offering the said Money, or making the said List.

Resolv'd, On the Question, that it appears to this House, by the Depositions of Alderman Ralph Gore, that the Lord Chancellor did not by himself, or any other Person whatsoever, directly or indirectly, offer any Sum of Money to the said Alderman Ralph Gore, when Lord Mayor, to choose a Common-Council.

Resolv'd, On the Question, That it appears to this House, by the Depositions of Alderman Ralph Gore, that the Lord Chancellor did not send him, the said Alderman Ralph Gore, any List or Lists of Common Council-men to be chosen.

Resolv'd, On the Question, Nemine Contradicente, That it appears by the Depositions of Alderman Ralph Gore, That he the said Alderman Ralph Gore had not any Conversation with the Lord Chancellor, or any Person or Persons, deputed by him, relating to that Matter.

Resolv'd, On the Question, That it appears to this House, by the Deposition of Martin Tucker, Esq; that the Lord Chancellor did not by himself
or

or any other Person, directly or indirectly, speak to the said Martin Tucker, to give any List, or offer any Sum of Money to influence the Election of Common Council-Men, when Alderman Gore served for Lord Mayor of the City of Dublin, and that the Lord Chancellor had no Privy of any Conversation, the said Martin Tucker had with the same Alderman Gore, on that Subject.

Ordered, on the Question, That the Evidence of Alderman Ralph Gore and Martin Tucker, Esq; (the first taken upon Oath, before a Committee of the Lords House, the second upon Oath at the Bar) in relation to the Lord Chancellor's concerning or not concerning himself in the Election of Common Council-Men, in the Year One thousand seven hundred and eleven, when the said Alderman Gore was Lord-Mayor, together with the Resolutions thereupon, be forthwith printed by the Clerk of this House.

After this the Honourable House of Commons Resolv'd, That the City of Dublin hath of late been and still continues in great Disorder and Confusion; by reason of the frequent Disapprobations of Persons elected Lord Mayors and Sheriffs of the said City, all of them of known Affection to her Majesty's Person and Government, and to the Constitution in Church and State.

Resolv'd, That Sir Constantine Phipps, Knight, Lord High Chancellor of Ireland, hath been the chief Cause and Promoter of such frequent Disapprobations, and thereby the Occasion of the said Disorder.

Now what these Disorders and Confusions are, that have come upon the City by reason of the frequent Disapprobations of Persons elected Lord Mayors, I never yet cou'd learn, and I heartily wish the Honourable House had printed a List of them, for the Satisfaction of the World in this Point.

I have heard, indeed, of great Disorders and Confusions brought upon the Affairs of the City by the factious, undutiful, and iniquitous Behaviour of

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some Aldermen and Sheriffs, for some Years last past.

I have heard, That the Election of Lord Mayors for the City of *Dublin*, had always heretofore been in an uninterrupted Succession of the senior Alderman below the Cushion, Time out of Mind ; unless, either the Person in Course, were out of the Kingdom ; or, were laid aside at his own Request : And, that this Succession was strengthen'd by a By-Law of the Eleventh of *Elizabeth*.

I have heard, that *this long and legal Succession was violently and unjustly broke through by some factious and seditious Aldermen ; who refused to elect Alman Constantine, (tho' he had an undoubted Right to the Chair, as senior Alderman below the Cushion) for no other reason but because he was not a WHIG : And, when upon a Hearing before the Council-Board, it appear'd there was a Law in their way ; they very gravely proceeded to justify their Conduct, by a pretended Repeal of that Law, some two Years after they had transgress'd it ; wisely thinking, that by so doing, they cou'd divest Alderman Constantine of a Right which was attach'd in him so long before. How agreeable this is to Law and Justice I leave to their learned Council to determine, for I perceive the Opinions of all other Lawyers, either on the Bench or off, are of no Weight with them : Nay, I have heard that that pretended Repeal was made in a Post-Assembly summon'd ex parte : and that, without so much as reading either the Law or the Order of Repeal to the Assembly, tho' the same was requir'd : And that thereupon, of those few Common Council-Men who were summoned, and were not Creatures of the Aldermen and Recorder, thirty-six offer'd their Protest against the whole Proceeding ; but the Cry was given about by Mr. Recorder, that it was a Popish By-Law made in the Reign of the Popish persecuting Queen Mary, and for that reason few that wou'd be thought Protestants dared to open their Mouths in Favour of it.*

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I have heard, that the Disapprobations made by the Government and Council were with no other Intent, *than to oblige the Aldermen to do equal Justice to their Fellow-Citizens: And that they who had gone through the Offices of Trouble and Expence in the City, might succeed to those of Honour and Advantage in their Turn.* And yet notwithstanding this, I have heard these Disapprobations complain'd of by an Honourable House of Commons, and those Aldermen thank'd. The reason is evident, 'twas criminal to desire *equal Justice, and therefore 'twas Praiseworthy to refuse it.*

I have heard yet farther of great Disorders and Confusions brought upon the City by the obstinate Refusal of seventeen Aldermen to elect a Mayor and Sheriffs *according to Law*; and yet I have heard of a violent and tumultuous Attempt made by the same Persons to elect in the Absence of the Lord Mayor *against Law.*

I have heard also, of a Club of Lawyers at the *Rose*, that advis'd 'em in that Attempt; and yet afterwards were oblig'd publicly to own, *that it was illegal and unwarrantable.*

But what is much more wonderful, I have heard of an Honourable House of Commons that thanked *one* of those Lawyers for that Advice in a most solemn manner: and those Aldermen for taking it.

I have heard, that these same Aldermen are to this Moment *as obstinate and more factious than ever*; and that, as they vindicate the *first* Injury they did Alderman *Constantine*, by adding many more to it ever since; so, they justify their monstrous Conduct towards the Government and Privy-Council of *Ireland*, by serving her Majesty in the same manner. As to the former, every one has heard many Instances of their criminal Disrespect to that illustrious Body; particularly in re-electing a Person they had disapproved, contrary to the express Letter of the New-Rules; (which requires, *that upon every Disapprobation they*

shou'd proceed to a new Election of a fit Person, until they have chosen such Persons as shall be approved) and in refusing to submit to their Determination, in relation to the Lord Mayor's Right of Nomination: *Both,* in direct Contempt of their just and legal Authority. And as to the latter, their undutiful Demeanor to the Queen is not less notorious; in refusing, to comply with an Expedient proposed by her Majesty, in a Letter from my Lord *Bolingbroke*, whereby, *he required the Lord Mayor to leave out one of the Three mentioned in the last Nomination before the Date of that Letter, viz. Sir William Fownes, and substitute another in his Room, and that the Aldermen should elect out of that Nomination:* And after these Instructions were condemn'd, I have seen it pretended, that this Expedient was agreed to by the Aldermen (to shew their Readiness to comply with whatever came recommended from her Majesty) by the Election of Alderman *Bolton*, *some Days before the Expedient was proposed:* And this, in an impudent Libel, entitled, *The City Case:* supposed to be written by Mr. *Recorder*, and since in a good measure transcribed into Resolutions, by a certain Honourable House of Commons. I have seen a villainous Suggestion, as if that Letter were forged by the Lords Justices and Privy-Council in the same Libel; where 'tis styled a *Letter said to be written by the Lord Bolingbroke;* though that Letter was openly read to the Lord Mayor and Aldermen in Council.

I have heard likewise of two worthy Sheriffs that pretended their Power was determin'd on *Michaelmas Day* last past; and after that *resum'd their Authority to serve Mr. Recorder in his Election*, and by Virtue of their Office took upon them to command her Majesty's Forces to murder her Subjects; and (as Mr. *Recorder* declared in the House) might have commanded the Captain-General to obey them on that Occasion: And then again renounced it, that they might
not

not serve her Majesty in the Execution of Criminals; or do any Act of publick Justice.

I have heard, and the City has felt, many Disorders and Confusions consequent upon this Refusal.

To sum up all, I have heard of infinite Inconveniencies immediately arising from the *factious* and *seditious* Behaviour of these turbulent and perverse Aldermen and Sheriffs abovemention'd; in refusing to acknowledge and obey Sir Samuel Cook as Lord Mayor, tho' all the Judges in the Kingdom, and all her Majesty's Council, have declared that he is a rightful and lawful Officer. Nay, they have had the Impudence, in a late Petition, to oppose the Opinions of two or three Lawyers, *notorious for their Disaffection to her Majesty*, (the very Persons who before advised them in their illegal Election) to the Authority of all these.

After all this, when I hear some Men attempt to justify this Conduct upon the Cry of Liberty and Property, &c. I am but little surpriz'd: When I consider, *that all the Seditions and Rebellions that ever happen'd in these Nations, have been vindicated by Persons of the same Principles, upon the same Pretences.*

As to the particular Case of the Citizens of *Dublin*, I never reflect upon their late Behaviour, but it brings into my Mind a fine Remark of one of the best Observers of the last Age, upon the irregular turbulent Genius of the *Romans* in the Beginning of their Republick: He tells us, that *with them Sedition pass'd easily for an Effect of Liberty, which thought itself wounded by the least Mark of Obedience, even to those Magistrates whom they themselves had created.*

After so much that I have already heard, there is but one thing more, that I yet desire, and earnestly expect to hear, and that is, what Punishment her Majesty will think fit to inflict upon so much Obstinacy and Disobedience, to the Terror of all Factions for the time to come.

And

And as to the next Particular, I shall only say, that among *those disapprov'd Persons of known Affection to her Majesty's Person and Government, and to the Constitution in Church and State*: I have heard of many, that were known for nothing before this Time, but for maligning her Majesty's Administration; for drinking execrable Healths and dispersing villainous Libels; for refusing her Majesty *equal Justice* with her Subjects, and for being every way the most factious and malignant Spirits within her Dominions.

In the next Place, it was *Resolv'd*, That since the making of the New Rules in 1672, until Sir *Constantine Phipps* Lord High Chancellor of *Ireland* arriv'd in this Kingdom, no Person elected Lord Mayor of the City of *Dublin* hath been disapprov'd, except in the Government of the Earl of *Tyrconnel**.

I need not take Pains to shew my Reader the Tendency of this Resolution; it carries *Popery* and the *Pretender* in its Front. 'Tis a modest Insinuation of what some Members of that Honourable House have not at other times been in the least asham'd to speak out, namely, That King *James's* Times are coming about again: The same Steps taken to destroy our Liberties, and introduce *Tyranny* and *arbitrary Power*. The Parallel betwixt *Tyrconnel* and the Lord Chancellor is pretty plain; and so modest, that it means nothing more than that the Lord Chancellor is a *Papist*; and, according to a foregoing Resolution, had laid a deep Design to subvert the Constitution and Government of the City of *Dublin*, by disapproving all those that are *True Protestants*, and admitting none into the Government of the City but those that were *Papists* or *popishly affected*, and *Friends to the Pretender*. If the subverting the Constitution of the City, by the same Measures taken under the Government of the Earl of *Tyrconnel*, have any Meaning it must be this: And far be it from me to believe that Honourable House acted any thing without a Meaning, and that, for the most part, very apparent, and not less amazing.

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* *Vid. City Cafe, page 2.*

If any Man can have the least Doubt that this was the Intention of these modest Resolutions, let me desire him to consider *the artful and uninterrupted Outcry of Popery and the Pretender, and the imminent Dangers of both*, that were rais'd and kept up during the whole Course of this Session.

The principal Proofs of which were these following: The Lord Chancellor's encouraging of Converts; his admitting none into the Commission of the Peace but such as were *popishly* affected, and Friends to the *Pretender*: (the like also was asserted of such Sheriffs as were made when he was in the Government).

And lastly, his granting numberless Licences for *Papists* to wear Arms.

As to the Cry of encouraging Converts, altho' it was not made appear that he preferred any new Convert, I presume the Lord Chancellor does not think himself much concerned to vindicate his Conduct that way, or to offer many studied Excuses to the World, why he always endeavoured to bring over as many as he cou'd to the Establish'd Church.

And as to the Charge relating to the Sheriffs and Justices of the Peace, I shall not vouchsafe it any other Answer than this, *That the Lists of both were early call'd for, and lay long upon the Table of the House of Commons for the Perusal of all the Members, and yet tho' much was threatened before those Lists were given in, no Man so much as attempted to bring any Complaint against the Lord Chancellor on Account of any one Man in the Number.* And yet I presume the Reader will believe, they neither wanted Industry to *discover* nor Inclination to *expose* his Male Administration in these or any other Instances.

The same Argument were sufficient to shew how groundless that Outcry was in relation to the Licences granted to *Papists*: If it were not as easy to demonstrate it *villainous* as well as *vain*. For, whereas it was confidently affirm'd there were some thousands
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of Licences granted since the Lord Chancellor first came into the Government ; I imagine it will be some Wonder to the Reader to hear that in Reality there were no more than thirteen or thereabouts, and every one of those upon special and unanswerable Reasons ; as he may satisfy himself from the Authority of a Proclamation since published by the Lord Lieutenant and Council to obviate this Calumny ; dated the 18th Day of *March* 1713, at the Conclusion of which you have these Words :

‘ The abovemention’d Persons, who have the Licence of the Government and Council to wear Arms, being one hundred thirty-four in Number and no more; one hundred twenty-one of them, to whom Licences were granted before the late Council-Chamber was burnt, had them renew’d pursuant to the Proclamation dated the 19th Day of *November* 1711, and the remaining thirteen, had Licences granted them since the burning the said Council-Chamber ; and of the whole Number there are ninety-three Persons adjudg’d within Articles : (i. e. who are intitled to wear Arms by the Articles of *Limerick* or *Galway*.)’

To proceed : after the House had *Resolv’d* that those last mention’d Votes should be laid before his Grace the Lord Lieutenant, in order to be laid before her Majesty, they *Resolv’d*,

That the Council-Board hath not at this time, nor had since the time given them by the Act of Explanation expir’d, any Power to make Rules or Orders for regulating the Election of Magistrates in any Corporation of this Kingdom.

Resolv’d, That the Right of electing the Lord Mayor of *Dublin* is in the Lord Mayor and Aldermen of the said City, and that the Aldermen are in no sort restrain’d in the Choice of the succeeding Lord Mayor to one of any three Persons nominated or proposed to be put in Election by the Lord Mayor.

To make these Resolutions intelligible to the Reader, I must inform him, that the plain Intent of them, is to arraign the Proceedings of the Lords Justices and Privy-Council of *Ireland*, in relation to the Election of Magistrates of the City of *Dublin*. A summary Account of which, I presume, will not be unacceptable to the World, and therefore, I shall give as full and clear a Relation of 'em as I can, in as few Words as possible.

About the End of *April*, 1713, the present Lord Mayor, Sir *Samuel Cook*, summon'd the Aldermen to elect a Lord Mayor for the ensuing Year; and, according to Custom, put three in Nomination; but the Aldermen not liking any of them, refused to go to an Election, till it shou'd be put to the Vote whether they had a Right to object. The Lord Mayor told them, he would readily listen to any just Objections that were made against any of the three nominated; but that would not content them, they would not only object, but they would likewise judge of their own Objections. The Lord Mayor cou'd not agree to this Demand, because it directly destroy'd his Right of Nomination; for let their Objections be never so trifling or unjust, 'twere absurd to suppose that, if they had a Right to judge of those Objections, they wou'd determine against themselves: And in one Breath, *first* make an Objection, and then pronounce it frivolous; and how well they were like to use this Power, is pretty evident from the first Objection they made; for being ask'd by the Lord Mayor, what they had to offer against Alderman *Constantine*: They answer'd, *That he had often before been put in Election, and as often laid aside, and therefore 'twas not fit he shou'd be elected now*; the Reason and Force of this Objection is very apparent, and is in Truth no other than this, *because they had done Constantine Injustice many Times before, therefore they ought not to do him Justice now*.

The Lord Mayor despising this Objection, and
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the Aldermen insisting upon their Demand, and refusing to proceed to an Election till it were agreed to, the Lord Mayor withdrew, and by so doing the Assembly was dissolv'd in Law. Nevertheless, seventeen of the Aldermen continued in the Place of Meeting, and, in the Absence of the Lord Mayor, elected Alderman *Pleasants*, contrary to the express Letter of the new Rules, which have the Force of an Act of Parliament: And certified that Election under their Hands without the Seal of the City. Whereupon, after some Petitions and Answers to the Lords Justices and Council, the whole Matter came to a publick Hearing before the Council-board, which lasted two Days, the 3d and 4th of *September* last; and after the Cause had been fully open'd and debated by Council on both Sides, and after the controverted Points were mutually submitted to the Judgment of that Board; the Lords Justices and Council, sixteen Privy-councillors being present, came unanimously to these Resolutions.

Resolv'd, 'That it is the Opinion of this Board, that the Lord Mayor of the City of *Dublin* for the Time being, has the Right of nominating three Aldermen to be put in Election for the Lord Mayor of *Dublin*, and that the Lord Mayor and Aldermen are oblig'd to elect one of the three Aldermen so nominated to be the succeeding Lord Mayor, unless just Objection be made against him.'

Resolv'd, 'The Proceedings of the said seventeen Aldermen to the Election of Alderman *Pleasants* for Lord Mayor, and *James King* for Sheriff for the ensuing Year, in the Absence of Sir *Samuel Cook*, Knight, Lord Mayor of *Dublin*, is a Breach of the new Rules, and as such their Elections are null and void.'

These are the Resolutions which the honourable House of Commons thought fit to contradict; and I submit it to any impartial Man upon Earth, whether of the two he ought to be concluded by, the
Opinion

Opinion of a Privy-council after a full Hearing and mature Deliberation; or the Opinion of another Body, without any Hearing, and upon examining only some Persons on one Side? Whose Examinations, they being Parties and not upon their Oaths, were surely much more likely to mislead than inform them.

But because the Opinion of a House of Commons is wont to be of great Weight, and indeed ought always to be so, *where the Dignity of that Body is supported by a suitable Conduct*; therefore, I shall desire leave to justify the Proceedings of the Privy-council in this Affair, by the Opinion of a former House of Commons, to whom nothing has been yet imputed that might impair the Credit of their *Resolves*; and where, if I rightly remember, Mr. *Broderick* presided as Speaker, and was of a different Opinion to that he is now known to be of.

On Saturday the 25th of October 1707, they came to the following Resolution.

Resolv'd, *That on preferring any Petition to the Council-board of this Kingdom, complaining of the undue Election of any Magistrate or other Officer of any Corporation within the new Rules; it is the indispensable Duty of the Privy-council to hear and determine the Right of such Election, before they approve of the Magistrate or Officer of such Corporation; and that the Denial thereof is arbitrary and illegal.* To which Resolution of the Committee the House agreed.

Here, 'tis an *indispensible Duty* to hear and determine the Right of Election; and I would gladly know what more the Privy-council have done in the Case of the City of *Dublin*? and yet it is *now* conceiv'd *arbitrary and illegal* to determine what some Years since was conceiv'd *arbitrary and illegal* to deny; and would without Question have been deem'd so at this very Juncture, had the Privy-council refus'd the Aldermen a Hearing upon their Petition; or after that Hearing, left the Controversy betwixt them and the Lord Mayor undecided. The former of these wou'd have been term'd *denying the Subjects Justice*: and all

the Mischief consequent upon the latter, wou'd have been laid at their Doors who deny'd to determine it; Nay, this very Resolution which now supports their Conduct, would then have been their Condemnation.

'Tis not my Province to enter into the Merits of that Dispute; nor can any one that heard the Trial before the Council-board need any Information upon that Point; 'tis sufficient to say, that it was heard and determin'd by legal Judges; the Justice of whose Sentence is supported by the unanimous Opinions of all her Majesty's Judges of that Kingdom, and of the most eminent Lawyers both there and in *England*: and how far the House of Commons can be justify'd in arraigning their Conduct and coming to Resolutions directly contrary to their legal Sentences, I leave those to determine who know the Extent of their Power.

How far the Commons may be called the Great Inquest of the Nation, and may inquire into Offences committed by great Men in their *ministerial Capacity*, I will not take upon me to say, but as to the Government and Council of *Ireland*, 'tis well known, *they are a Court* erected by Act of Parliament; and when they approve or disapprove of Magistrates, &c. they act in a *judicial Capacity*: And if the House of Commons cannot take Cognizance of the Judgments, Decrees, and Sentences of inferior Courts, (as 'tis certain they cannot) have they any Power or Jurisdiction to inquire into and censure the Determinations of the Council?

The House of Commons of *Ireland* are a Part of the Constitution; the Government and Council are likewise a Part, a very *useful and important Part*; and surely 'tis the common Sense of all Mankind, that if any Part of the Constitution invade the Rights of any other, the Consequence must be very fatal: Forasmuch, as such an Invasion has a direct Tendency to break the Ballance, to introduce *Anarchy* and *Confusion*, and to destroy the whole. Let them

them answer this Conduct to their Country who are guilty of it.

After this, we meet with nothing remarkable in the Proceedings of these Patriots, during the small Remainder of this Session ; and 'twould exceed the prescrib'd Bounds of this History, to pursue them beyond that Term. Yet, forasmuch as their Resentments against the Lord Chancellor did not end with their Recess, I imagine it can't be foreign to my Design to inform the Reader in a few Words, that when they found their Endeavours to remove the Lord Chancellor (by an Application to the Queen) unsuccessful, *they took up a loyal Resolution of appealing from her to the House of Lords of Great Britain*: Upon a Perswasion, that tho' the Lord Chancellor had a great Majority of his Side in this House, yet there was a Majority of *their* Friends on r'other side the Water, and they should *there* prevail against him ; very modestly presuming, that the Peerage of both Kingdoms were so corrupt, that they would distinguish and be acted by a *Regard to Party in the Business of publick Justice*.

When they found their Error in this Point, the next Thing they had to do, was to spirit up as many as they could to bring Appeals into *England* against his Decrees ; that so they may bring a slur upon him in his judicial Capacity ; and arraign that Administration of Justice, which they themselves always acknowledged to be equal and unexceptionable.

As they had before address'd to remove him from his Place of Lord Chancellor, *because they did not like him as Lord Justice and Privy-Counsellor* ; so now, they design'd to have applied to her Majesty to remove him from the Government and Council, *because they did not like him upon the Bench*.

A thousand Pities that this noble Purpose should also miscarry ; a Purpose every way worthy the Honour and Integrity of those illustrious Patriots : And such as would have crowned their Characters beyond
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the Example of all Ages past, and the Imitation of all to come ; when it should appear in the Prosecution of that great Design, that those very Persons who always confessed the Lord Chancellor just and impartial in his Decrees ; and to have exceeded all that went before him in that Station ; nay, publicly in the House of Commons confessed it, had after all that advised and exhorted Appeals even against their own Clients.

But this also unfortunately failing (as 'tis generally thought) there is but one Thing more left : And that is, to prevail upon some of their honest Country-men, such as Mr. Croker, Mr. Skiddy, Mr. *Pep-
pard*, or some other honest Man (no matter whether *Papist* or *Protestant*) *to swear him into a Plot to bring in the Pretender.*

Before I conclude this *long* History, I think myself obliged, as I have at large related the Sense of the Commons in Relation to the Lord Chancellor's Conduct, so likewise to present the World with the Opinion of the Lords and Convocation concerning his Lordship ; who, notwithstanding all the scandalous and profligate Libels that have been put forth to blacken and traduce *both*, as *Papists* and Friends to the Pretender, I am of humble Opinion are yet a Part of the Protestant Interest of this Kingdom ; and have infinitely a better Title to that Denomination than any of those that would deprive them of it ; or, to speak more properly, are (with the rest of their Principles) *the only Men that deserve the Name of Protestants* ; or bear it with any Propriety. And this I take to be a sufficient Plea for that Address of the Convocation ; which has renewed and raised the Outcry of a profligate Set of Men against the Clergy. Tho' the Address itself carries its own Reasons along with it ; and such as bespeak at once the Duty and the Justice of the Performance.

But before you read it, give me leave to premise this short History of it : *First*, That it past both Houses of Convocation *Nemine contradicente.*

2dly,

2dly, That when the Members of both Houses of Convocation attended at the Castle in Form to present it to the Lord Lieutenant, to be transmitted to her Majesty, Mr. *Molesworth*, to demonstrate that he was one of *those worthy Commoners who glory in being true Sons of the establish'd Church*, took that Opportunity to shew his Respect to the Body of the Clergy, by passing the same Compliment upon them, that the Enemies of Christianity, *some lewd Fellows of the baser Sort*, did formerly upon *Paul and Silas*, for propagating the Christian Religion. *Vide Acts, 16, 17.* The Fact will be best understood from their Complaint to the upper House, and the Lords Message upon it to the Commons, which are as follows.

A Complaint of the Lower House of CONVOCATION.

May it please your Graces and Lordships,

The lower House of Convocation being informed by several Members of their House, that immediately after your Graces and Lordships, with the whole Clergy, had presented their Address to his Grace the Lord Lieutenant, on Monday the 21st of December, and when your Graces and Lordships were still in the Presence-chamber, that the Right Honourable Robert Molesworth, Esq; did publicly, and in the Hearing of a great many Persons, speak the following Words, viz. They that have turn'd the World upside down, are come hither also.

We humbly represent to your Graces and Lordships, that we look upon these Words, as uttered by him, to be an intolerable Profanation of the Holy Scriptures, and that his speaking them at that Time, and in that Place, was with Design to cast an Odium and Asper-sion on your Graces and Lordships, and the whole Clergy, and to represent us as a turbulent and seditious Body; and we think ourselves in Duty obliged to lay the Matter before your Graces and Lordships, not only for the Reasons before mentioned, but because we conceive

ceive it to be a high Affront to her Majesty, and a great Disrespect to her Representative the Lord Lieutenant.

And we humbly pray your Graces and Lordships to take such Methods of doing Right to yourselves and us, in vindicating the whole Clergy from this wicked Calumny, as to your Graces and Lordships Wisdom shall seem most proper.

The House of Lords delivered themselves to the Commons on the same Subject as follows.

‘ The Lords, who are always desirous of preserving
 ‘ a good Understanding between the two Houses of
 ‘ Parliament, have desired this Conference with the
 ‘ Commons, before they would proceed to do Justice
 ‘ to that venerable Assembly the Convocation, since
 ‘ they observe the high Crime so justly complained
 ‘ of by them was committed by the right honoura-
 ‘ ble *Robert Moleſworth, Esq;* a Member of the
 ‘ Commons House.

‘ The Lords cannot entertain the least Suspicion,
 ‘ but that the Commons, upon full Proof of the
 ‘ Words charged upon the right honourable *Robert*
 ‘ *Moleſworth, Esq;* which they may have from sever-
 ‘ al Members of the lower House of Convocation
 ‘ of indisputable Character, will do Justice upon their
 ‘ Member to that venerable Body the Convocation;
 ‘ that they will highly resent (to our excellent Lord
 ‘ Lieutenant, the Words being spoken before his
 ‘ Grace was withdrawn out of the Room,) the Af-
 ‘ front to Majesty, the Words being spoken in the
 ‘ Presence-chamber at the Castle; and will make him
 ‘ sensible of the horrid Crime laid to his Charge, of
 ‘ impiously profaning the Holy Scriptures, those live-
 ‘ ly Oracles of God.

‘ The Lords entertain this Assurance of the Rea-
 ‘ diness of the Commons to do Justice in all these
 ‘ Particulars, from the Zeal they have observed from
 ‘ the Commons in former Parliaments expressed
 ‘ against *Toland* and *Asgill*.

‘ We

‘ We leave the Commons a Copy of the Paper
 ‘ transmitted to the Lords by the Convocation ; and
 ‘ tho’ their Privileges are equally dear to the Lords
 ‘ as their own, yet that the Commons may not
 ‘ want Proof of a Crime of this deep Dye, that so
 ‘ great an Offender may be punished, the Lords give
 ‘ Leave to the Members of the Lower House of
 ‘ Convocation to give Evidence before the Commons,
 ‘ in relation to this particular Fact.’

I presume the Reader expects, after the Delivery of
 this Message to the House of Commons, to hear the
 same Resentment conceived by those *True Sons of the*
Church, against this intollerable Profanation of the
 Scriptures and scandalous Abuse of the Clergy : But
 I am sorry I must tell him that, tho’ they were not at
 this time engag’d in any important Enquiries concern-
 ing the Size of Sticks that appeared at the *Tholsel*,
 nor the Tendency of Tunes * played before Sir *Wil-*
liam Fownes and Mr. *Tucker*, in their Progress thi-
 ther, nor the Religion of a Trumpeter, nor the
 Laurel Conspiracy, &c. yet ’tis to be presumed they
 were employ’d in Concerns of no less Importance ;
 since ’tis certain they never found Leisure to take the
 least Notice of that Message from that Day to this.

We come now to the Convocation Address.

Most Gracious Sovereign,

‘ **W** E your Majesty’s most dutiful and loyal
 ‘ Subjects, the Archbishops, Bishops and
 ‘ Clergy, in Convocation assembled, being deeply
 O sensible

* ’Twas asked in the House of Commons, what Tune was played
 before Sir William Fownes and Mr. Tucker to the place of Election ;
 and whether it was not The King shall enjoy his own again : The
 Witnesses told ’em he knew that Tune very well, and assur’d ’em ’twas
 not the Tune play’d before ’em. A Merry Member rose up and told
 Mr. Speaker ’twas an Enquiry of Importance, and desired the
 Tune might be Whistled.

' sensible of those unhappy Divisions under which
 ' this Kingdom labours, and to what Difficulties
 ' they are expos'd, who in this degenerate Age
 ' appear with Resolution in the Cause of Religion
 ' and Loyalty, humbly beg leave to represent to your
 ' Majesty, that even the high Stations, in which your
 ' Majesty has thought fit to place Sir *Constantine Phipps*,
 ' have not secured him against Calumny and Re-
 ' proach.

' We should be ungrateful and unjust to your Ma-
 ' jesty, if we were less ready to acknowledge the ex-
 ' alted Virtue of your excellent Minister, than the
 ' Voice of Envy can be to calumniate and defame
 ' it.

' We are fully perswaded of his true Zeal for the
 ' Church as by Law establish'd, his unshaken Fidelity
 ' to your Majesty's Person and Government, and
 ' firm Adherence to the Protestant Succession in the
 ' Illustrious House of *Hanover*, whereby he has gain-
 ' ed the general Love, Esteem and Admira-
 ' tion of your faithful Clergy.

' May that Providence, which apparently presides
 ' in all your Councils, ever guide and conduct
 ' you; may it never suffer your Majesty to want a
 ' Servant of equal Courage, Uprightness and Abi-
 ' lities; and may this Church and Nation never be
 ' without such a Friend, for the Suppression of Vice,
 ' Schism and Faction, and for the Support of your
 ' Royal Prerogative, as well as the Rights and Li-
 ' berties of your Subjects.'

That this is, and always was, the confirm'd O-
 pinion which the Clergy of the Church of *Ireland* al-
 ways entertained of the Lord Chancellor, will appear
 by a Message from the former Convocation in the fol-
 lowing Words.

To the Right Honourable Sir Constantine Phipps,
Knight, Lord High Chancellor of Ireland.

A Message of Thanks from the Lower House of Con-
vocation, agreed to *Nemine Contradicente*.

Die Veneris, 9, Novembris, 1711.

And presented the same Day by the Prolocutor, attend-
ed by his Assessors.

My Lord,

‘ I Am commanded by the Lower House of Convo-
‘ cation to wait upon your Lordship, with their
‘ Thanks for your many and great Services to the
‘ Churches of *England* and *Ireland*, as by Law e-
‘ stablished.

‘ It was your Glory to be Instrumental in support-
‘ ing the Distress’d, when it was not only fashiona-
‘ ble but meritorious to depress them.

‘ Your undaunted Courage, your well temper’d
‘ Zeal, and your moving Eloquence, were then most
‘ Remarkable when they were most Necessary.

‘ And as these noble Qualifications drew the Eyes
‘ and Hearts of all those who wished well to our
‘ Church and Constitution, toward you, so our most
‘ Gracious Sovereign could not but soon discern, that
‘ no Man could be a more proper Minister of Equity
‘ to her Subjects in this Kingdom, than he who had
‘ so happily defended them from Rigour and Oppres-
‘ sion in the other.

‘ May this Nation be ever happy in so Wise,
‘ Faithful, and Steady a Minister, for the Security
‘ both of the Prince and Subject, that the Preroga-
‘ tive of the one, and Liberties of the other, may
‘ ever be inviolably preserved to them; and may the
‘ Church never want so Faithful and Affectionate a
‘ Friend to support and defend her in times of Dif-
‘ ficulty, and to be an Honour and Ornament to her
‘ in times of Prosperity.’

O

The

The Lord Chancellor's ANSWER.

Gentlemen,

I Am extremely obliged to you for this great Respect : I always thought it my greatest Happiness to be a Member of that Church, which is the Honour and Glory of the Reformation ; and it is my greatest Satisfaction that I have done any thing which so Great and Learned a Body esteems a Service to that Church.

I do assure you, That as it is my Duty, so it is my Inclination, and shall always be my Endeavour, to promote the Interest and Welfare of the Establisht Church, and of the Clergy that are Members of it ; and I will not be deterred by any Menaces or Danger whatsoever, from doing my utmost to support and maintain her Majesty's Prerogative, and the Rights and Liberties of her Subjects, and our Constitution, both in Church and State.

I mentioned in the foregoing part of this History, an Address from the Right Honourable the House of Lords, in relation to some Aspersions thrown on the Lord Chancellor, by one *Nuttall* : I chose to insert it in this Place, that the Reader might have the Satisfaction of seeing her Majesty's most Gracious Answer annexed to it.

Die Veneris, 18 Decembris, 1713.

The Humble Address of the Lords Spiritual and Temporal in Parliament assembled.

Most Gracious Sovereign,

‘ **WE** Your Majesty's most Dutiful and Loyal Sub-
 ‘ jects, the Lords Spiritual and Temporal in
 ‘ Parliament assembled, having taken into our Con-
 ‘ sideration the Calumnies and Reproaches cast upon
 ‘ Sir *Constantine Phipps*, Lord High Chancellor of
 ‘ Ireland, and Speaker of this House ; and having
 ‘ this

' this Day had under our Examination several ground-
 ' less Aspersions, thrown upon him by one *Richard*
 ' *Nuttall*, whereby he is traduced (even whilst one
 ' of your Majesty's Lords Justices) as having been a
 ' Promoter of the Dissentions which have lately hap-
 ' pened in this Kingdom, do think ourselves obliged
 ' in Justice to your excellent Minister, in all Humi-
 ' lity, to represent to your Majesty, That we do
 ' find, that in the several eminent Stations in which
 ' he served your Majesty since his coming into this
 ' Country, he has always acquitted himself with
 ' Honour and Integrity, as became a discerning and
 ' vigilant Governor, an equal Administerer of Jus-
 ' tice, and a zealous Asserter of the Prerogative, in
 ' Opposition to a factious Spirit, which hath two
 ' much prevailed in this Kingdom: We therefore
 ' humbly beseech your Majesty, that you will not
 ' suffer any evil Report against him, if any such
 ' should reach your Majesty, to make an Impression
 ' on your Royal Heart to his Disfavour.'

Her Majesty's most Gracious Answer to the Lords Address.

*HER Majesty has always looked upon the Lord Chan-
 cellor as a faithful Servant to the Crown, a true
 Lover of the Constitution in Church and State, and is
 therefore extremely pleased to find, by their Address, that
 this House concurs in the same Opinion of Him.*

The Malice of his Enemies procured the Lord
 Chancellor these Honourable Testimonials of his In-
 tegrity and Worth, as well from his Sovereign as
 his Fellow-Subjects: Testimonials so publick, and
 in such full and affectionate Terms, as perhaps few
 Subjects were ever before honour'd with; and (I
 hope I may now say) none ever better deserv'd.

F I N I S.

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the proposed amendment to the Constitution of the State of New York. I have the honor to inform you that the same has been referred to the Committee on the Judiciary, and they are now considering the same. I have the honor to inform you that the same has been referred to the Committee on the Judiciary, and they are now considering the same. I have the honor to inform you that the same has been referred to the Committee on the Judiciary, and they are now considering the same.

THE UNIVERSITY OF CHICAGO

The following is a list of the names of the persons who have been appointed to the various positions in the Department of the Interior, under the act of March 3, 1879, entitled "An Act to provide for the better management of the public lands, and for other purposes."

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